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Volume Number
Serials

211 pp in 95

Louisiana Court Refuses Review In Walker Suit

NEW ORLEANS (UPI) — The Louisiana Supreme Court refused yesterday to review a lower court decision directing a Caddo Parish district court to try a \$3 million libel suit brought by former Maj. Gen. Edwin A. Walker.

Walker's suit is against the Times-Picayune Publishing Corp. of New Orleans and the Associated Press.

The Caddo District Court had refused jurisdiction on grounds it was not the proper tribunal to hear the case.

But the Louisiana 42nd Circuit Court of Appeals ordered the parish court to try the case.

Walker filed the suit in connection with reports of his activities on the University of Mississippi campus when Negro James H. Meredith was admitted to the school under federal court order in 1962.

(Mount Clipping in Space Below)

Student Testifies At AP Libel Trial

Sweat Says He Didn't See Gen. Walker Lead 'Charge'

FORT WORTH (AP)—Lawyers for former Maj. Gen. Edwin A. Walker presented their first witness today in support of his \$2 million libel suit against The Associated Press.

Richard H. Sweat, 20, a pre-law student at the University of Mississippi, testified that he saw Walker on the Ole Miss campus during the Sept. 30, 1962, riots.

But he said he did not see Walker lead any charge of students against federal marshals.

Sweat said that when Walker first appeared on the campus, near a Confederate monument and across a driveway circle from the buildings surrounded by marshals, a cry went up: "Gen. Walker is here! We've got a leader!"

WALKER SILENT

He said, however, that Walker "mostly would not say anything" when students asked him what to do.

Sweat said Walker once walked slowly toward groups of students charging the marshals but turned and moved back toward the Confederate monument without taking any active part.

He said Walker talked with the students for awhile, then made a brief speech at the base of the monument.

"As I remember, he said something about 'You have a right to protest—it is guaranteed by the Constitution, but this is not the way—this is the long way around,' and he also said something about 'Cuba is yonder way,'" Sweat testified.

SOME BOOS, JEER,

Sweat told the jury there were some boos and jeers when Walker stepped down after the speech and most of the crowd drifted

away.

This testimony by Sweat came in answer to questions by Walker's lawyers.

A jury of four women and eight men was selected Monday, clearing the way for presentation of evidence by the plaintiff. All 12 jurors must agree to any verdict returned to State District Court Judge

Charles J. Murray in the civil suit.

The Associated Press, as defendant, will present its evidence after the plaintiff.

Walker, 54, contends Associated Press stories falsely accused him of leading a charge during the 1962 civil rights riot at the University of Mississippi, in Oxford, Miss. Walker's chief attorney, Clyde Watts, Oklahoma City, said in his opening statement that Walker did not lead any charge, and did not assume command of the riot crowd.

"We are not trying a segregation or integration case," said J. A. Gooch, Associated Press attorney, in his opening statement. "We are trying the case of an individual trying to defy the courts and laws of this land."

The Associated Press answer to Walker's suit says assessment of any damages would be "a restraint on the freedom of press" as guaranteed by the U.S. and Texas constitutions.

Gooch said the defense evidence would prove that Associated Press stories concerning Walker's actions at Oxford "were and are true in fact and substance."

(Indicate page, name of newspaper, city and state.)

3 "The Dallas
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JUN 10 1964	
FBI - DALLAS	

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Walker Likely to Testify In Libel Suit Against AP

West Texas Bureau of The News charged with inciting insurrection and unrest, but the charges were later dismissed.

FORT WORTH, Texas—Former Maj. Gen. Edwin A. Walker will likely testify during the trial of his \$2,000,000 libel suit against the Associated Press, his attorneys said Monday as the proceedings opened in 17th District Court here.

Walker's attorney, Clyde Watts of Oklahoma City, said the retired Army general will testify near the trial's end.

The wire service is being represented by three Fort Worth attorneys—J. A. (Tiny) Gooch, Sloan Blair and Carlisle Cravens.

Dist. Judge Charles J. Murray estimated the trial will last from one to two weeks.

A jury of four women and eight men was selected Monday and testimony got under way about 3:30 p.m.

Walker, through his attorney, denied allegations in stories dispatched by the Associated Press during the student riots at the University of Mississippi, Oct. 1-2, 1962. The trouble arose in connection with the enrollment of a Negro, James Meredith, as a student there.

Walker was arrested and

(Indicate page, name of newspaper, city and state.)

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Walker to Testify in Suit Today

By JACK MOSELEY

Former Maj. Gen. Edwin Walker was expected to mount the witness stand today and explain his action during the Ole Miss University riots in 1962 to a jury.

Clyde Watts, attorney for the ex-Army commander who is asking \$2 million in damages because of an Associated Press news story, said he expects the former general to tell his side either late morning or in the early afternoon.

As the former general's case moved toward a climax, an attorney connected with the AP side indicated defense testimony may run for two weeks.

UP TO NOW, General Walker has refused to discuss his actions at Oxford, Miss., with newsmen. He has sat quietly, allowing a smile to cross his lips from time to time.

Yesterday, AP Atty. J. A. Gooch ripped into one of the Walker key witnesses, noting sharp contrasts between his testimony on the witness stand and statements he made last March.

Talmadge Witt, a Mississippi deputy sheriff sent to Oxford during the integration of James Meredith, told Mr. Gooch and the jury that he wanted to back down on some of his earlier testimony.

DEPUTY WITT SAID he misunderstood a question asked in March by AP attorneys who took a deposition from him. The question concerned how many students and rioters were around General Walker when the general advanced toward the U. S. marshals.

In the courtroom, he declared the group was small. In his statement, he said about 1000 people. He explained he was talking about the total number of people in the general area when he made his March statement, however.

(Indicate page, name of newspaper, city and state.)

3 "Ft. Worth Press"
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During his testimony, the lawman said the students did "a good job" in fighting the marshals. He noted that he counted 16 burned cars on the campus the night of Sept. 30, 1962.

In the three statements, including his testimony from the witness stand, Deputy Witt attributed these remarks to General Walker on the night of the riots:

"GOOD, GOOD, keep it up," during the rioting.

"You make me ashamed that I'm an Episcopalian," when a clergyman pleaded with the general to stop the rioting, saying the students would listen to him (Walker).

"I am here to watch what happens. I'm not interested in stopping it."

"Help is on its way. Thousands are coming."

Deputy Witt said the full crowd never followed the general. He said he observed the general for some five hours after he arrived on the university campus.

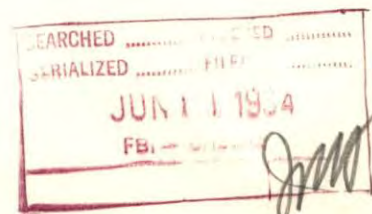
He told jurors that the general finished his talk, made at a Confederate monument, and later said: "Keep protesting and see if we can get closer."

THE DEPUTY SAID General Walker never threw any object at the marshals. However, he declared that some demonstrators ran ahead of the general and threw things before the federal officers repelled them with a fresh wave of tear gas.

Earlier, two Ole Miss students told the court that General Walker drew boos and lost the crowd when he told rioters that they had a right to protest, but that this was not the proper way.

Although the students and the deputy declared that the general refused to lead the rioters, Judge Murray said he would not permit witnesses to state whether or not he led a charge against marshals. He said that is for the jury to decide.

This trial is the first of eight libel suits filed by General Walker as an outgrowth of the Ole Miss riots. The general is seeking about \$20 million in damages.



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Witness Denies Violence Urged

Former Maj. Gen. Edwin A. Walker told University of Mississippi students during campus rioting on Sept. 30, 1962, that violence was unnecessary and urged students to support their governor, a 17th District Court jury was told Wednesday.

The testimony was supplied the all-white jury of eight men and four women by Louis Lemon, 25-year-old engineer reared in Crosby, Texas, and employed in Mississippi.

Lemon was the second witness to take the stand Wednesday in the \$2 million libel suit Walker has brought against the Associated Press as a result of the AP accounts of Walker's activities at Ole Miss when Negro James Meredith was enrolled.

Lemon said he was with Walker for several hours before Walker went to the campus, accompanied the former general to the university and remained with him from 8:45 p. m. Sept. 30 until 1:30 or 2 a. m. Oct. 1. He testified that Walker told students:

"There's no need for violence. Violence is not the answer."

Walker, Lemon continued, urged the students, who had asked Walker to address them, to "Stand by your governor (Ross Barnett). Your governor has not sold you out."

Lemon explained that talk had circulated among students that Governor Barnett had "sold them out."

The witness testified that he went to Oxford, home of Ole Miss, because, "I didn't feel the federal government should send troops into Mississippi."

Lemon added that he did not believe what he had seen in the newspapers about happenings there and "wanted to see for myself" what was going on.

Lemon knew Walker, he said, since Walker's mother and Lemon's grandmother were reared together in San Antonio. Lemon said he once had met Walker in Baytown.

Lemon told the jury of telephone conversations he had with Walker about driving to Jackson, Miss., on Sept. 29 to meet Walker, about press conferences Walker participated in and about how he and Walker went to the campus Sept. 30 after hearing reports that a disturbance had broken out.

In a Sept. 29 news conference, Lemon said, Walker commented, "Any violence and bloodshed will be initiated by and on the hands of the federal government."

Attorney J. A. (Tiny) Gooch asked Lemon on cross-examination if some students recognized Walker and said, "Here is our leader."

Lemon replied, "A lot of them wanted him to lead them, that's for sure."

But, as in the case of other witnesses who testified, Lemon was not permitted to say whether Walker led a charge, since Judge Charles Murray has ruled this is a conclusion for the jury to reach.

Attorney Clyde Watts of Oklahoma City, one of Walker's lawyers, said he planned to put Walker on the witness stand later Wednesday and predicted he will complete his side of the case Friday.

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2 "Ft. Worth
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Judge Bars Student's Testimony On Walker Leading Campus Charge

BY ROGER SUMMERS

Judge Charles Murray of 17th District Court refused Tuesday to let a 20-year-old University of Mississippi student testify whether former Maj. Gen. Edwin A. Walker led a charge on the university campus.

The witness was Richard H. Sweat of Corinth, Miss., a pre-law major at the Oxford campus.

He was the first witness called by Attorney Clyde Watts of Oklahoma City as the plaintiff opened his \$2 million libel suit against the Associated Press.

The suit was filed by Walker as a result of Associated Press accounts of Walker's activities during rioting on the Ole Miss campus in the fall of 1962 when Negro James Meredith was enrolled.

Objection Sustained

Walker contends that the accounts in question were false and malicious.

When Watts asked Sweat if he saw Walker lead a charge, an attorney for the AP, J. A. (Tiny) Gooch, objected and Murray sustained it, meaning Sweat could not answer.

During a recess, Murray said the question called for a conclusion which is a matter for the all-white jury of four women and eight men to determine.

But at one point in his testimony, Sweat testified that his first impression of Walker was that he was a leader.

But, Sweat added, "I found out that General Walker wouldn't lead it (a charge)."

'Lines of Marshals'

Sweat said he returned to the campus on the afternoon of Sept. 30, 1962, and learned the campus had been occupied by U. S. marshals.

He said he went to the Lyceum Building — which he called "a very special place" on the campus — and saw lines of marshals in the front and back of the building.

Sweat said the students became angry because the marshals were there.

He also told of the marshals' firing tear gas at the students and related that the students ran to a Confederate statue on the campus.

"We milled around. We didn't know what was happening," the witness told the jury.

'Ready to Fight'

Watts asked whom the students looked to for instructions. Sweat replied, "They didn't look to anyone."

After a second volley of tear gas was fired, Sweat said the students were ready to fight and picked up some bricks and bottles.

Sweat said he first saw Walker on the night of Sept. 30 standing about 20 feet from the Confederate monument.

Watts wanted to know what happened when students saw Walker and Sweat answered, "The cry went up, 'General Walker's here, General Walker's here. We've got a leader.'"

Sweat said the cry came right after some students had beaten up a university chemistry professor who was writing down names of students.

Speech by Walker

Sweat said students asked Walker to give them advice but that Walker only shook his head.

Later, Sweat said the students asked, "General, what should we do?"

"The general wouldn't say anything," Sweat said.

Sweat said Walker finally made a speech on the Confederate statue and told the students, "You have a right to protest . . . this is not the way. It's the long way around."

Afterward, Sweat said, Walker stepped down from the statue and the crowd left.

Watts opened his case by reading to the jury a story written by Associated Press Reporter Van Savell.

Savell's story, which carried an Oct. 3 date, said:

"Walker assumed command of the crowd, which I estimated at 1,000, but was delayed for several minutes when a neatly dressed, portly man of about 45 approached the group."

'Complete Command'

Savell's story also included these observations:

"General, will you lead us to the steps?" an unidentified man asked. I observed Walker as he loosened his tie and shirt and nodded 'Yes' without speaking. He then conferred with a group of about 15 persons who appeared to be the riot leaders."

At another point in his story, Savell wrote, "There were cheers. It was apparent that

Walker had complete command over the group."

In other testimony Watts read a deposition taken from B. R. Thomas, an Associated Press newsman who works in Jackson, Miss.

In the deposition, Thomas stated that on Sept. 20 he communicated by telephone with Savell, other reporters, some Ole Miss students, photographers and others who were on the campus.

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4 "Ft. Worth
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Jury Told Walker Moved Toward Marshals

A statement introduced Tuesday in former Maj. Gen. Edwin A. Walker's \$2 million libel suit against Associated Press said Walker moved toward U. S. marshals on the University of Mississippi campus with 1,000 persons following him.

The statement was made by a Mississippi deputy sheriff, Talmadge Witt, and introduced into evidence in 17th District Court.

Attorney J. A. (Tiny) Gooch, defending the wire service, offered the statement in an attempt to impeach Witt as a witness after the deputy repeatedly tried to alter from the stand a deposition he had given earlier.

IN THE STATEMENT, Witt said Walker addressed Ole Miss students from a Confederate monument on the university campus Sept. 30, 1962, the date of rioting over enrollment of Negro James Meredith.

"He (Walker) then started toward the marshals and the crowd, of at least 1,000 by that time, followed him," Witt declared in the statement.

Walker contends he was libeled by an Associated Press news report that he led a charge against U. S. marshals.

The marshals at the time had encircled the Lyceum, a university building at the west end of a large circle. The monument is on the east end of the circle and a flag pole stands in the center of the circle.

Witt testified that Walker had approached him and asked to be deputized.

"I'd just like to be safe to observe here," Witt quoted Walker as saying. The deputy said he told the former general that he had no authority to deputize him.

A PREACHER tried to get Walker to help calm the mob. Witt testified, saying, "General, these boys will listen to you," and urging Walker to tell the students and others to go home.

Witt said Walker replied, "I'm not here to break it up. I didn't come here to break it up. I couldn't break it up if I wanted to."

As Walker strode toward the monument, Witt testified, the ex-soldier turned to the preacher and asked his denomination.

After the minister answered Episcopalian, Witt said Walker snapped, "Well, you make

me ashamed that I'm an Episcopalian."

Once the 55-year-old Walker was on the monument, Witt claimed he said, "Violence is the answer. Cuba is yonder way."

The deputy said a cry from the crowd went up, "If he's not going to help us why is he here?"

In the deposition, Witt said Walker urged students to continue their protests.

"PROTEST ALL you want," Witt quoted Walker. "They (the marshals) might run out of (tear) gas. Help is on the way. Thousands are coming."

Witt claimed he had misunderstood a question when he had answered during the taking of a deposition that the crowd with Walker was a violent mob.

He maintained he meant that the 1,000 persons was the number in the entire area, not just those around Walker.

Witt was the third witness in the case.

Earlier Tuesday, two Ole Miss students took the stand.

The first, Richard H. Sweat, 20, said crowds had become excited when Walker appeared and cried, "General Walker's

here. We've got a leader."

Both Sweat and the second student, 21-year-old Cecil Cox Jr., said the crowd became disenchanted with the former soldier because he declined to lead them.

Judge Charles J. Murray refused to allow either student to testify as to whether Walker

led a charge against the marshals.

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Witness Recounts Walker's Remark

Ex-General Said Federal Forces Would Start It, If Trouble Came

FORT WORTH (AP)—A friend of Edwin A. Walker testified today that the former Army major general said before the 1962 University of Mississippi student riot that any violence or bloodshed would be initiated by the federal government.

Louis Leman, 25, Crosby, Tex., mechanical engineer, appeared for Walker in the third day of trial of Walker's \$2 million civil libel suit against The Associated Press.

Leman, who said he first became associated with Walker when Walker ran unsuccessfully for Texas governor, said he went to Oxford, Miss., three days before the night-long rioting Sept. 30, 1962. The riot followed admission of Negro student James H. Meredith to the university.

Leman said he telephoned Walker several times, telling him what Leman considered the sentiment of students at Ole Miss. He said he told Walker the students were backing Gov. Ross Barnett's defiance of federal court orders instead of agreeing with the federal court, as Leman said local newspapers reported.

He met Walker in Jackson, Miss., on Sept. 29, Leman said, and drove the general to a news

conference at a motel. He said he remembered distinctly Walker saying: "As far as I am any way concerned and from what I see in Mississippi, any violence and bloodshed in Mississippi will be initiated by and on the hands of the federal government."

After the news conference, Leman said he drove Walker to Oxford and stayed with him at a motel where they registered under Leman's true name but listing Walker as "John Waters."

Leman said he was with Walker almost constantly Sunday and through that night's riot.

He said Walker took no active part in the rioting and at no time was Walker in any position in front of the rioting students and federal marshals.

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Walker Incorrectly Quoted

A statement introduced into evidence Tuesday in 17th District Court in a libel suit brought by former Maj. Gen. Edwin A. Walker was incorrectly quoted in Wednesday's Morning Star-Telegram.

The statement, made in a deposition by Talmadge Witt, a Mississippi deputy sheriff, quoted remarks Witt said Walker made to a crowd on the campus of the University of Mississippi during rioting there.

The correct quotes attributed to Walker should have read, "Violence is NOT the answer."

The word "not" was inadvertently omitted from the story.

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TMA URGES FULL REPORT ON WALKER

Texas Association Lauds AMA Probe Of Circumstances

The Texas Medical Association's house of delegates Monday had voted to commend the American Medical Association for its current investigation of the hospitalization of former Maj. Gen. Edwin A. Walker.

Delegates asked that the AMA continue its investigation and that full results be published in the AMA Journal.

The resolution was introduced by the Navarro County Medical Society's delegation. It was altered to cite the present investigation rather than call for a new probe as the resolution originally read.

The AMA is currently studying whether Walker was forcefully hospitalized without proper examination following the former Army general's activities in the Oxford, Miss., integration riots last year.

Delegates sidestepped the issue of fluoridation of public water to prevent dental caries, instead passing a resolution which said they did not engage in approval, endorsement or guarantee of either fluoridated or unfluoridated water.

In other action the house voted:

- To endorse programs warning the public, particularly young people, of health dangers from smoking.

- To establish a committee which would study and recommend ways to prevent athletic injuries and illnesses.

- To endorse equipping of automobiles with seat belts.

- To endorse the continued use of Sabin oral polio vaccine and community vaccine programs.

(Indicate page, name of newspaper, city and state.)

13 "The Dallas
Times Herald"
Dallas, Texas

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18A "The Dallas
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Tour Slated By Walker, Billy Hargis

Former Maj. Gen. Edwin A. Walker and evangelist Billy James Hargis will make another "Midnight Ride" speaking tour of nine cities this month.

Announcement of the tour was made in Mr. Hargis' monthly newsletter and confirmed by the general in Dallas.

Mr. Hargis said in the letter that the tour was prompted by a shot fired at Gen. Walker's home here last April 10.

"Before the news ever reached

the public, Gen. Walker called me and said, 'Billy, let's make another tour immediately.' " Hargis was quoted as saying.

The tour will start in Salt Lake City on May 15 and end in New Orleans on May 28. Mr. Hargis and Gen. Walker only last month

completed a 29-city tour that began in February.

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Austin Rally Draws Below Predictions

By RICHARD M. MOREHEAD
Austin Bureau of The News

AUSTIN, Texas—Sweltering civil rights demonstrators, turning out in less-than-predicted numbers, paraded past the state Capitol and heaped criticism on Gov. John Connally Wednesday.

About 500 Negroes—mostly teenagers — and about 50 whites marched past the Capitol on their way from Rosewood Park, in the Negro section, to a rally in Woolbridge Park. They made no effort to enter the Capitol grounds.

Originally the marchers had planned to present a petition to Connally. But W. J. Durham, Dallas attorney and leader in the National Association for the Advancement of Colored People, told a

cheering crowd that "I didn't want to see the governor. I wanted the governor to see us go by."

Connally worked at his office while the civil rights program was in progress. An aide said the governor was "glad there was no serious incident during the demonstrations," and added that Connally would have no further comment at this time.

A smiling spectator on the Capitol sidewalk was former Maj. Gen. Edwin A. Walker of Dallas, who last year drew criticism for his appearance at Oxford, Miss., in an effort to bar integration of the state university there. Walker said he was in Austin just as an observer.

"If that's all the supporters Kennedy has here, he's sure flopped," the shirt-sleeved Walker commented as the civil rights marchers passed.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
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(Mount Clipping in Space Below)

Mayor Asks City Reject Hate Groups

By **KEITH SHELTON**
Political Writer

Mayor Earle Cabell Saturday challenged Dallas to repudiate the radicals who abused Adlai Stevenson Thursday night just as the Ku Klux Klan was repudiated in the early 1920s.

Calling on the city to redeem itself when President Kennedy visits next month, the mayor said he was appealing to the responsible thinking citizens of Dallas to help restore sanity to the city.

"The constructive thinker and civic builder, although in the majority, has become engrossed in his own affairs and has permitted a small but highly vocal minority to project the image of our city to the world at large," Mayor Cabell said.

DANGER TO CITY

"If this image is permitted to go unchallenged, then the efforts and accomplishments of our forebears will be voided."

Mayor Cabell said the presidency is the world's highest office and the man who holds it should be accorded the highest possible respect.

"But good behavior is not enough," he said. "This cancer on the body politic must be removed."

In the early 1920s, Dallas was the Southwest hate capital of Dixie, he said.

"But men and women of good will were ashamed. They saw their shame turn to courage. They stood against this whirlwind of hate, repudiated it and saw it fade and die. What has been done once can and must be done again."

REGRETS STILL COMING

Statements of regret continued to be issued by Dallas spokesmen Saturday. Efforts to determine the guiding hand, if any, behind the demonstration in which the U.N. ambassador was hit and spat on were fruitless.

Two of those identified in the disorder, Frank McGehee and Bobby Joiner, both denied there was any preplanning, to their knowledge. Mr. Joiner did say some of the signs used were stored at former Maj. Gen. Edwin A. Walker's headquarters on Turtle Creek Boulevard.

Jack Goren, president of the Dallas U.N. Association which sponsored Mr. Stevenson's visit, wired regrets to both the ambassador and President Kennedy.

"May I assure you that not only is the banner of the U.N. higher than ever, but out of this disgraceful episode the cause of democracy and freedom of thought and expression will burn more brightly than ever in Dallas, in Texas and the United States," his wire to Mr. Stevenson said in part.

He wired the President, in part, "May I assure you that the responsible intelligent and proud citizens of Dallas and Texas denounce this minority mob-group and repudiate completely this dangerous fringe."

(Indicate page, name of newspaper, city and state.)

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Author:

Editor: Felix R. McKnight

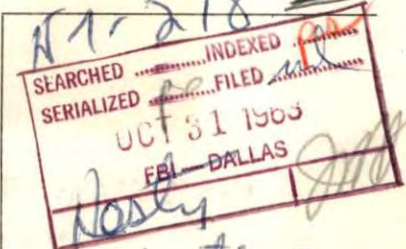
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Submitting Office: Dallas



CITY'S LEADERS BLAMED

Allan L. Maley, secretary-treasurer of the AFL-CIO Council, said in a statement that the "hoodlums and psychos" who attacked Mr. Stevenson believed they had the blessing and protection of Dallas leaders who encouraged the citizenry to believe that the greatest enemy was in Washington rather than Moscow."

He said the Dallas leadership should "leash the creature they have created." If they are unwilling or unable to guarantee President Kennedy's safety, Mr. Maley said, he urges that the President bypass Dallas.

Newspapers around the nation gave prominent attention to the Dallas disorder. The New York Times carried a story on Page 1 of its Saturday editions headlined, "Dallas Leaders Apologize to Stevenson for 'Outrage.'"

Chicago's American carried a front-page picture and a one-column headline that read, "Blame Jeers on Dallas Birch Group."

'DISGRACED' CITY

The Arkansas Gazette in Little Rock published a Page 1 story with a three-column headline at the top of the page reading, "'Disgraced' City Apologizes."

Mayor Cabell's statement said those who did the harrassing of Ambassador Stevenson were not conservatives, but radicals.

"Let us look these so-called patriots in the face, see who they are, what they have done and where they are leading us. They say they stand for America, for law and order, for constitutional government. But do they?"

"These are the people who would wreck a train and endanger all its passengers because they do not like the color of one coach," he said.

"These are the people who beat their school boards over the heads with minor phrases from school books, who see Communists behind every artist's brush, who write letters to the editor and follow with even more bitter letters when their first are edited to fit the demands of good taste."

LBJ INCIDENT RECALLED

Mayor Cabell said it was this "same level of thinking" that caused deep embarrassment to the city when Vice President Lyndon Johnson and his wife were mobbed at the Adolphus Hotel in 1960.

"It is this same group that protests violence by students before the House Un-American Activities Committee in San Francisco and yet incited an even more embarrassing exhibition in our city," he said.

The same group displayed emotional concern for city garbage workers and then employed "fear, racial prejudice and outright untruths" to defeat public housing, he said.

"Dallas is a great city. It gained its national reputation because men of all creeds, races and political affiliation worked together with one thought in mind—the betterment of Dallas," the mayor said. There were extremists then, but the constructive and not the obstructive viewpoint prevailed, he declared.

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

1
 "The Dallas
 Morning News"
 Dallas, Texas

Gov. Wallace Denies Being Anti-Negro

By KENT BIFFLE

"I feel sorry for those people who despise other people because of their color."

The speaker was Alabama Gov. George Wallace. He had just stepped out of a State of Alabama airplane marked with Con-

federate flags at Dallas Aero Service Sunday.

Wallace, 44, broadly hinting that he may enter the New Hampshire primary as a presidential candidate, was pointing out that he doesn't regard himself as anti-Negro.

The governor who became a national figure by fighting integration in Alabama said: "I've never made a single unkind remark about Negroes."

"My administration is doing more for Negroes than the administration of any other governor of Alabama. But I do believe in the states carrying on those historic functions they've always carried on—and that includes running the schools."

"It's forced mixing of the races that causes trouble. We resent

Washington telling us to run our schools. Why, they've had to build extra bridges across the Potomac just for the people leaving Washington since they integrated the schools there.

"With all the trouble they've had, we Alabama people ought to be telling them how to run their schools," Wallace said.

Asked if he's serious about running for president, he said, "In Alabama, we're serious about everything we do, whether it's football or politics. Of course, we have no illusions about the difficulties in the path of any Southerner running for the presidency."

Wallace, a former bantam-weight boxing champ, was met at Dallas Love Field by Julian McKinnon, a Dallas engineer and a college buddy. McKinnon and Wal-

Date: 11-18-63

Edition:

Author:

Editor:

Title: Jack B. Krueger

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Submitting Office: Dallas

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—Dallas News Staff Photo.

Alabama's George Wallace... "I've never made a single unkind remark about Negroes."

Wallace were roommates in 1938 when both were waiting tables in a boarding house to provide meals while attending the University of Alabama.

Wallace attended a private dinner party in Dallas Sunday night. At noon Monday he will address the Public Affairs Luncheon Club in the Baker Hotel.

The governor said the federal government is trying to tell people "who to swim with, eat with and go to school with." These are things, he said, that should be decided locally.

He said integration is not working anywhere that massive numbers of both races are mixed. He said only 67 Negroes are now attending white schools in Alabama.

Wallace doesn't mind being called a conservative. But he likes to think of his administration as progressive, too.

"We are in the midst of the largest road-building program and the largest school-building program in the history of the state. During my first year in office more new industry came to Alabama than in the first year of any other administration," he said.

Wallace confessed that he not only voted for President Kennedy in 1958 but helped raise campaign funds. He said it won't happen again.

(Mount Clipping in Space Below)

Walker Sees U.S. Tyranny In Mississippi

Former Maj. Gen. Edwin A. Walker charged Monday in a speech to Southern Methodist University law students that the U.S. Department of Justice is engaged in a "continuing tyranny" in Mississippi civil rights activities.

In a talk before the SMU Student Bar Association, Mr. Walker linked the department with what he called an illegal attempt by the Freedom Democratic Party to unseat congressmen in Mississippi.

The Freedom Democratic party, predominantly Negro, seeks to gain control of the party machinery in Mississippi, he said.

Mr. Walker said Atty. Gen. Nicholas Katzenbach's position is "indefensible."

"In his close association with Robert Kennedy (former attorney general and now U.S. senator from New York) Mr. Katzenbach is a handicap to the administration," Mr. Walker said.

"He is a temporary administrator who will go the route of his predecessors," Mr. Walker said.

He said that while the attorney general is in Dallas this week "he might look into the background of the conspiracy of the assassination of John F. Kennedy, which has been completely white-washed by the Warren Commission report."

He was introduced by Ronald Clowers, secretary of the Student Bar Association.

(Indicate page, name of newspaper, city and state.)

19
"The Dallas
Times-Herald"
Dallas, Texas

Date: 3-8-65
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Author:
Editor: Felix R. McKnight
Title:

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or
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FBI - DALLAS	

Wright

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Little Rock Visit Made By Walker

LITTLE ROCK, Ark. (UPI) — Former Maj. Gen. Edwin A. Walker yesterday compared his role as enforcer of integration at Central High School with Gen. Douglas MacArthur's role in the veteran's bonus march on Washington.

Walker, who commanded troops that forced integration at the high school in 1957, returned and spoke at a news conference held off campus instead of on campus because the school board wanted it that way.

Walker was to speak again tonight about those fateful days and his later decision that he "was on the wrong side" then.

Walker's appearance was sponsored by the Capital Citizens Council. It billed his talk as "The Road from Little Rock" with a subtitle of "Unprecedented Exposure of an American Soldier's Battle with the World Police State."

Walker, stopped only briefly at the school, standing on the sidewalk where he greeted about 20 well-wishers.

"I wouldn't expect to get on the Central High grounds without a uniform and a ticket from the liberal administration in Washington," he said. "I would need orders."

(Indicate page, name of newspaper, city and state.)

4 "The Dallas
Times-Herald"
Dallas, Texas

Date: 5-18-64
Edition:
Author:
Editor: Felix R. McKnight
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FBI - DALLAS	

Gambrell

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Defendants Dropped in Walker Suit

FORT WORTH, Texas (AP)—Judge Charles J. Murray of 17th District Court has dismissed the Star-Telegram, WBAP radio and television and Carter Publications, Inc., as defendants in a \$2,000,000 libel suit by former Maj. Gen. Edwin A. Walker.

The dismissal was made at the request of attorneys for Walker.

The ex-soldier filed the suit against the newspaper, its broadcast facilities, the publishing firm, Amon Carter Jr., and Associated Press in connection with accounts of his activities during rioting which accompanied enrollment of Negro James Meredith in the University of Mississippi.

Carter was dismissed as a defendant last week. The suit against the Associated Press is still pending.

In the motion for dismissal, the plaintiff stated the defendants concerned had "sworn under oath that they relied solely upon the Associated Press news releases . . . believed them to be true and published them without any malice."

The motion further stated that the four defendants had been victims "of these malicious and libelous statements published by the Associated Press" and the plaintiff "therefore will not further prosecute his cause of action against them."

Judge Murray granted the motion. Walker was ordered to pay the costs incurred by the defendants concerned.

Trial of the case against the Associated Press is set for next Monday in Judge Murray's court here.

Walker has filed several similar suits against newspapers scattered over the United States. The one here was the first to come to trial.

(Indicate page, name of newspaper, city and state.)

11 "The Dallas
Morning News"
Dallas, Texas

Date: 6-3-64
Edition:
Author:
Editor: Jack B. Krueger
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Character:

or

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JUN 4 1964
FBI - DALLAS

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Walker Libel Trial Opens Arguments

BY ED HORN

An all-white jury of four women and eight men was impaneled Monday in 17th District Court to hear former Maj. Gen. Edwin A. Walker's \$2 million libel suit against the Associated Press.

After being sworn in and instructed by Judge Charles J. Murray, jurors heard impassioned opening statements, from attorneys Clyde J. Watts of Oklahoma City, representing Walker, and J. A. (Tiny) Gooch, defending the news service.

Watts, in his legal petition, accused the Associated Press of "knowingly and falsely accusing the plaintiff (Walker) of crimes against the penal code of the United States."

He maintained the statements — made about Walker's activities during rioting which accompanied enrollment of Negro James Meredith into the University of Mississippi in the fall of 1962 — were false, malicious and untrue.

The attorney stated Walker did not lead a charge against U. S. marshals, as the Associated Press reported, and that the former general had in fact

turned down several requests that he do so.

* * *

DURING HIS opening statement, Watts said Walker went to Oxford and the university to "protest against making a military matter of a very critical civilian problem." He noted that Walker had commanded the troops at Little Rock during the public school integration crisis there.

Watts also said Walker's Mississippi visit was meant as a protest against diversion of soldiers from Cuba.

He claimed Walker only "stood around and observed" as rioters lobbed rocks, bottles, bricks and other missiles at the marshals, who answered the fusillade with tear gas.

The attorney charged that Van Savell, 21-year-old Associated Press reporter who wrote the story in dispute, had relied on his own imagination to write a slanted story.

Gooch answered by saying Walker had called a press conference at his Dallas home to announce he was going to the University of Mississippi.

"Bring your flag, your tent and your skillet," Gooch quot-

ed Walker as saying during the Dallas conference.

* * *

THE FORT WORTH attorney said Walker was "a great man when he was in the Army — until he started meddling with things he had no business to meddle in."

In his pleadings, Gooch said Walker had claimed he quit the service to be able to speak out on public matters.

He said the former general, 54, had "voluntarily injected himself" into the turmoil at Oxford.

Gooch then traced the course of Meredith's suit to enter the school and the events surrounding his enrollment.

He said a verdict for Walker would be a "restraint and deterrent of publication of news and freedom of the press."

"We're trying the right of an individual public figure to defy the law of this land," Gooch roared in his opening statement.

Judge Murray released the jurors shortly before 5 p. m. Testimony will begin at 9 a. m. Tuesday.

The suit is the first to come to trial of eight filed around the country by Walker.

HE ORIGINALLY filed it here against the Star-Telegram, WBAP radio and television stations, Carter Publications, Inc., Amon Carter Jr. and the Associated Press.

All defendants except the Associated Press were dismissed on the motion of attorneys for Walker.

Watts is being assisted by attorneys William Andress Jr. of Dallas and Toy Crocker of Fort Worth.

Gooch's associates in the trial are Carlisle Cravens and Sloan Blair, both Fort Worth attorneys.

(Indicate page, name of newspaper, city and state.)

3 "Ft. Worth
Star Telegram"
Ft. Worth, Texas

Date: 6/9/64

Edition:

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Editor:

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Submitting Office: Dallas

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FBI - DALL	

Walker sat quietly, ~~his left~~
~~leg~~ crossed over his right,
during most of the proceed-
ings. Occasionally he would
scribble notes to his attorneys.

Shortly before jury selec-
tion resumed during the after-
noon, Watts protested to re-
porters about a newspaper
photograph which showed
Walker seated with an armed
deputy sheriff behind him.

~~"This is the kind of thing~~
we are fighting," he said.



—Star-Telegram Photo

COURTROOM VISIT—Former Maj. Gen.
Edwin A. Walker, left, chats during a
break in court proceedings with Mrs.
R. M. Sweet of 3125 Major and Webb B.

Joiner of Arlington. Joiner was Walker's
Tarrant County campaign manager dur-
ing his unsuccessful bid for the Demo-
cratic nomination as governor in 1962.

(Mount Clipping in Space Below)

Gen. Walker to Testify In Suit Against AP

Former Maj. Gen. Edwin A. Walker will take the witness stand during his \$2 million libel suit against the Associated Press, his chief attorney, Clyde Watts of Oklahoma City, said Monday.

Watts told reporters of his plans before jury selection started Monday in 17th District Court here.

He predicted the suit will require at least one week.

Attorneys will choose 12 jurors from a panel of 36 whose names appear on cards which were drawn from a brown paper sack in the central jury room by Judge Charles Murray.

The attorneys questioned the prospective jurors as a group and individually. The plaintiff and the defense are permitted to disqualify six each without giving a reason.

Murray, noting that jury selec-

tion in civil cases usually require about two hours, said the jury to hear the suit brought by Walker might not be completed until Monday afternoon and testimony might not start until Tuesday. Scores of witnesses are expected to testify.

Assisting Watts is William Andrews Jr. of Dallas. A Fort Worth attorney, Toy Crocker, aided the plaintiff's attorneys during jury selection.

The Associated Press is represented by three Fort Worth attorneys — J. A. Gooch, Carlisle Cravens and Sloan Blair.

The ex-soldier originally filed the suit against the Star-Tele-

gram, WBAP radio and television, Carter Publications, Inc., and the Associated Press in connection with accounts of Walker's activities during rioting which accompanied enrollment of Negro James Meredith at the

University of Mississippi.

But, on motion by the plaintiff, all defendants except the Associated Press were dismissed recently.

The suit here is the first of several similar suits to be tried.

(Indicate page, name of newspaper, city and state.)

8 "Ft. Worth
Star Telegram"
Ft. Worth, Texas

Date: 6/8/64

Edition:

Author:

Editor:

Title:

Jack Butler
John Ellis

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Classification:

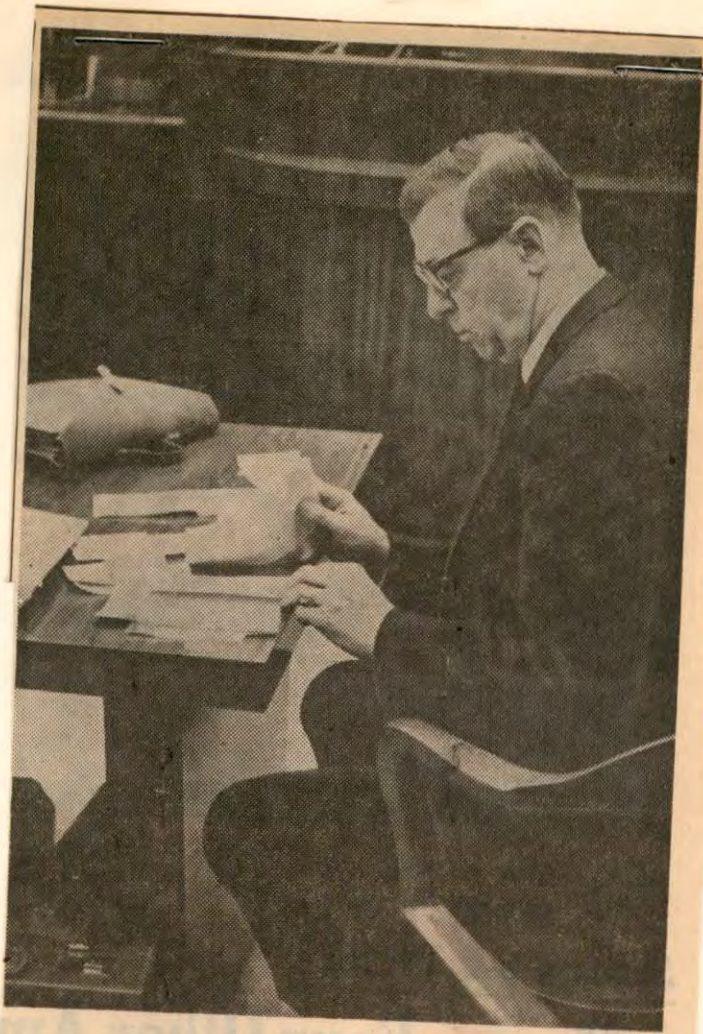
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FBI - DALLAS	

Hosby



—Star-Telegram Photo
READY FOR START OF TRIAL
... General Walker in 17th District Court

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pal

Walker Led Charge, AP Man Repeats

Associated Press newsman Van Savell, in a deposition read to a 17th District Court jury Monday, stuck by his contention that former Maj. Gen. Edwin A. Walker led a charge against U. S. marshals during rioting at the University of Mississippi in 1962.

Walker denies leading a charge and, as a result of Associated Press stories about his activities at Ole Miss, has filed a \$2 million libel suit against the AP, which entered its second week Monday.

Walker's attorneys also have placed several witnesses on the stand who have testified the ex-soldier did not lead a charge and instead attempted to dissuade students from any violence.

Actions Described

In the deposition, Savell, 22, said he heard someone say, "Here is General Walker. Here comes General Walker."

Someone asked Walker, Savell said, to "lead us to the steps."

Savell said Walker made no comment and appeared to be in deep thought for 40 or 50 seconds.

Finally, Savell said, Walker nodded his head, two men took Walker by the arms and the three started walking in the direction of the U. S. marshals.

Rocks Were Thrown

A group followed the three. After walking a distance, Savell said the group threw rocks and other articles in the direction of the marshals and then turned and ran.

As the group returned to near a Confederate monument on the campus, Savell said he heard Walker say, "Well, we'll get together and charge again."

When Walker made that statement, Savell said, the newsman ran to telephone his office.

Attorneys for Walker were expected to complete their case Monday.

When Walker's attorneys rest, the AP attorneys probably will ask Judge Charles Murray for an instructed verdict in AP's favor.

(Indicate page, name of newspaper, city and state.)

6 "Ft. Worth
Star Telegram"
Ft. Worth, Texas

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Author: Jack Butler
Editor: John Ellis
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Walker Rests Case; Defense to Open

BY ED HORN

Attorneys for former Maj. Gen. Edwin A. Walker rested their case Monday in the 17th District Court trial of his \$2 million libel suit against the Associated Press.

Judge Charles J. Murray then denied a defense motion for an instructed verdict.

This means defense attorneys, headed by J. A. (Tiny) Gooch, will begin presentation of their case at 9 a. m. Tuesday.

They will try to convince a jury of eight men and four women that an AP report that Walker led rioting students against U. S. marshals at the University of Mississippi was not libelous.

Walker has testified that he did not lead students in a charge on Sept. 30, 1962, during protests over enrollment of Negro James Meredith at Ole Miss.

Several witnesses have backed his contention and testified that he urged the demonstrators to avoid violence.

ONE OF THOSE who declared he did not see Walker lead a charge was United Press International reporter Alfred Kuettner, whose deposition was read Monday.

Kuettner said in the deposition he heard Walker tell students: "You have every right to demonstrate, but this is not the way to Cuba."

Kuettner said the crowd jeered when Walker told them to avoid violence.

Kuettner testified he could not see everything that went on during the rioting and that at one point he was away from the riot scene for about 20 minutes making a telephone call.

He said it was possible that Walker had led a charge during his absence.

Kuettner described Walker as staring and tense and said Walker was walking fast when the reporter first encountered him.

Kuettner said "I still subscribe to that" when asked if he clung to his theory that Walker was present on the campus as "more than an interested observer."

Kuettner quoted Walker as saying at a press conference in Atlanta when asked about the riot:

"This was not a riot. This was just a bunch of college boys blowing off steam, having a good time."

EARLIER MONDAY, AP reporter Van Savell stuck by his story, which is the basis for Walker's suit.

Savell testified in a deposition

read to jurors that Walker made no comment when students asked him to lead them shortly after Walker arrived on the campus.

Savell said Walker, after

being silent for 40 or 50 seconds, nodded his head, two men took his arms and the three walked toward the marshals.

Savell said a group which

followed the three threw missiles in the direction of the marshals, then retreated.

Savell said he then heard Walker say: "Well, we'll get together and charge again."

(Indicate page, name of newspaper, city and state.)

12 "Ft. Worth
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Lawyer Believes in Walker's Stand General's Defender: a Friend

(Indicate page, name of newspaper, city and state.)

18-12
"Ft. Worth Press"
Ft. Worth, Texas

Date: 6-14-64
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Author:
Editor: Walter R. Humphrey
Title:

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JUN 14 1964	
FBI - DALLAS	

Koshy

By JACK MOSELEY

The defender of former Maj. Gen. Edwin Walker does not represent his client for money.

Clyde Watts, a successful Oklahoma City lawyer and himself a retired Army general, counsels General Walker because he believes the former commander of the 24th Army Division in Germany is right in his beliefs.

"I believe Ted Walker is the most mistreated individual in the history of this country," he declares calmly.

Who is Clyde Watts, who has fought General Walker's legal battles for years?

Born 56 years ago in Wagoner, Okla., he first met General Walker while both were students at New Mexico Military Institute. They were varsity members of school polo team. Mr. Watts was active in track and football as well.

HE WENT ON to graduate from University of Oklahoma Law School. And General Walker attended West Point. But the friendship was not forgotten.

World War II brought Mr. Watts back into uniform.

As an artillery observer, the young pilot was sent to China. He rose rapidly through the ranks. "I was never hit. But an awful lot came pretty damn close," he recalls with a mild-mannered grin.

In 1944, on a hillside in China, something happened that might have been a factor in today's events.

THEN A colonel, Mr. Watts was commanding a regiment of Chinese soldiers. Chang Mo Lin, now minister of education for Nationalist China, asked a simple question: Who is the most dangerous man in the world?

"Hitler," replied the colonel. "No," was the answer.

The Chinese official said it was a former student of his. He said this man "has the evil genius, imagination, determination and racial hatred to convert my Chinese people into a vicious force that will someday destroy your world."

Who was this evil student? Moa Tse Tung, leader of



Clyde Watts

Chinese Communism.

Mr. Watts is not a member of the John Birch Society. But he has the same convictions as General Walker. He openly states that lawyers are too satisfied with the status quo.

"I HAVE OBSERVED the prize for which every war in history has been fought shift to a previously second-rate enemy by the unfortunate American delusion that we can trust them."

After World War II, Mr. Watts returned to the practice of law, but rose to a rank of general in the Army Reserve.

The father of four children — three boys and a girl — he says there is no greater honor than being shot at while defending your country. His own son is now in the Army at Fort Polk, La.

At the close of testimony Friday, Mr. Watts told an associate he has two weeks of legal work for his firm to catch up on over the week-

end. "I have to make a living too," he said. Most of his legal work is the trial of damage suits in which he defends the interests of insurance companies.

Mr. Watts' courtroom demeanor is composed and confident. He says that if he cannot win his case by straight questioning, he will not resort to tricks.

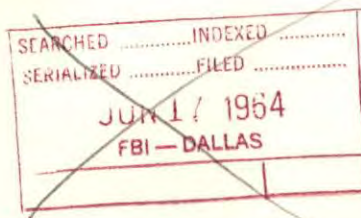
"IN HIS SPARE time, he raises horses and flies his own airplane."

General Walker, who has been represented by Mr. Watts since the 1962 rioting on the

the Miss campus, is asking \$2 million in damages from Associated Press, which he claims printed a false story about him leading a charge of students on U. S. Marshals.

"If Ted has done that he would be the first to admit it," says his attorney. "He is a man of great integrity."

Mr. Watts contends that he is in the case to set the record straight. But the final decision will be made by a jury here in 17th District Court.



(Mount Clipping in Space Below)

Pictures of Riot-Torn Ole Miss Campus Shown

BY ROGER SUMMERS

Several photographs showing the debris strewn over the University of Mississippi campus after rioting there on Sept. 30, 1962, were shown Tuesday to the 17th District Court jury hearing a \$2 million libel suit against the Associated Press.

The photographs were introduced into evidence by Chief Defense Attorney J. A. (Tiny) Gooch.

He showed the jury the pictures during questioning of the defense's first witness, Dr. Les-ton Love, dean of student personnel and professor of education at Ole Miss.

The pictures showed overturned burned vehicles, and an assortment of large and small rocks and bricks and other articles.

Gooch also introduced into evidence a few photographs which showed U. S. marshals wearing gas masks and helmets. Large groups of students and others were also shown in some of the photographs.

Marshals Arrive

Dr. Love said that he was at the home of the Ole Miss chancellor, which is on campus, when U. S. marshals arrived about 4 p. m. on Sept. 30.

The dean said he and other key college officials had gone to the chancellor's home for a conference relative to the enrollment of Negro James Meredith.

Later, Dr. Love said, he went to his office in the Lyceum Building, the administration building, which was surrounded by U. S. marshals. Several officials of the U. S. Justice Department, a chief marshal and a Mississippi Highway Patrol official were in the Lyceum Building when he got there, Dr. Love said.

Dr. Love said he attempted to get the students who were gathering to leave.

Gooch asked the witness how the students responded to him. "I wasn't very effective," he said.

Dr. Love said the crowd, which consisted of many non-Ole Miss students, was at first relatively good-natured and that the noise from the crowd constantly grew louder.

Defense Witness

The defense witness told of three "rings" of persons gathered on the campus.

He described the first group as a "front line" or active

group. The second group, he said, "just wanted to see what was going on" and members of the third group "seemed to be spectators."

Dr. Love told the jury about casualties brought into the Lyceum Building. He said some of the casualties were serious ones and told of one victim who has been shot in the back and one who had a broken leg.

About 160 persons were arrested during rioting, and about 25 of these were Ole Miss students who were placed on disciplinary probation for at least one year, he continued.

Dr. Love told of seeing several bullet holes in the Lyceum Building and said that at one point on the night of Sept. 30, a bullet "whistled by my ear."

The dean's auto was parked on campus and badly damaged. He related that the glass in his auto was knocked out, some chrome was torn off and that tear gas fired by U. S. marshals caused burns on the car's interior.

Dr. Love told the jury that when he walked across the campus the next morning, he noticed that several cement seats had been broken up, there was still tear gas in the air, about six burned vehicles were in the area and he viewed broken bricks and glass and numerous tear gas canisters.

Badly Cluttered

"It was really a very badly cluttered up place," he said.

Dr. Love followed the assistant director of the Mississippi Highway Patrol, Guinn Cole, to the witness stand.

Attorneys for former Maj. Gen. Edwin A. Walker, who is seeking the \$2 million from the AP as a result of stories written by AP about Walker's activities on campus, rested their case Monday.

They had planned to use Cole as a rebuttal witness, but Cole needed to return to his home state so Judge Charles Murray allowed the plaintiff's attorneys to reopen their case long enough to present Cole's testimony.

Cole said that students were heckling the marshals — he called it "just general student behavior" — when, without provocation, the marshals fired tear gas against the students and highway patrolmen. The highway patrolmen were standing between the students and the marshals.

(Indicate page, name of newspaper, city and state.)

4 "Ft. Worth
Star Telegram"
Ft. Worth, Texas

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JUN 17 1964
FBI DALLAS

Walker Offered to Lead Protest, Student Testifies

BY ROGER SUMMERS

Donald James Proehl, 29-year-old University of Mississippi student, testified Wednesday he heard former Maj. Gen. Edwin A. Walker state he would lead persons listening to him in a protest.

Proehl was a defense witness called in the \$2 million libel suit Walker has filed against the Associated Press over the news service's accounts of a Walker's activities at Ole Miss on Sept. 30, 1962, during the enrollment of Negro James Meredith.

Proehl said he saw a man standing on a Confederate monument, pushed to within three or four feet of the statue and saw that the man was Walker.

He quoted Walker as saying the students had a right to protest and testified that Walker said, "He would lead them in the protest."

After the speech, Proehl said, a large crowd moved from the monument in the direction of the Lyceum Building, which was surrounded by U. S. marshals.

The witness first said he saw Walker at the front of the moving crowd.

But on cross-examination, he said, "I could see a tall man in a white hat in front" of the crowd.

The witness related that he had earlier seen Walker wearing a white hat and that the white hat worn by Walker was the only one of that type he saw on the campus on the night of Sept. 30, 1962.

An earlier witness Wednesday, an Episcopalian priest, testified he made two unsuccessful attempts to get Walker to help stop violence on the campus on Sept. 30.

The witness was Rev. Duncan Gray Jr., rector of an Episcopal church in Oxford, Miss.

The minister told a 17th District Court jury he had gone to the campus in an attempt to convince students they should return to their dormitories or homes.

Rev. Mr. Gray said he saw Walker on campus and asked him to help calm the students, put an end to violence and convince them to return to their dorms.

The witness said he "knew he (Walker) was something of a hero to the students" and felt

Walker could have had great influence with them.

The minister testified, "When I first asked him (Walker) to speak to the students and to help us bring the rioting to a halt, he said he was not interested in putting a stop to what was going on. He said he was there only as an observer and he also said the students have every right to protest."

"I believe at one point he said, 'I couldn't stop it if I wanted to but I don't want to.'"

The witness added that Walker asked him, "Who are you and what are you doing out here anyway?"

The minister said he identified himself and told Walker he was deeply concerned about the situation on campus.

After this, Rev. Mr. Gray said, Walker remarked, "You are the kind of an Episcopalian minister that makes me ashamed to be an Episcopalian."

The second time the rector asked Walker to help stop the students, he testified, came while Walker was making a speech from a Confederate monument.

Rev. Mr. Gray said that when he asked Walker the second time to help, Walker told the crowd, "He is an Episcopalian minister that makes me ashamed to be an Episcopalian."

The minister said he attempted to speak to the crowd but was pulled down and escorted away from the monument by what he believed to be persons friendly to him who wanted to protect him.

During the speech, the minister said, Walker told the group:

"I want to congratulate you on what you are doing here this evening."

The minister testified Walker went on to say, "You have every right to protest."

He quoted Walker as saying, "Stand fast, firm. There are thousands behind you. You will win in the end."

The minister said he left the monument area and went to another building on campus but that two students came and asked him to return to the monument and speak to the crowd.

Rev. Mr. Gray said he walked back to the monument area with the two students but that the crowd was breaking up when they arrived there.

He said the crowd was "moving in a general movement or what you might call a charge toward the Lyceum."

He was asked, "Were you able to see who was leading that charge?"

The minister answered, "No, sir."

(The Lyceum building is the administration building at Ole Miss. It was surrounded by U. S. marshals during the night of Sept. 30, witnesses have testified. An Associated Press story said Walker led a charge against the marshals.)

On cross-examination Walker's chief attorney, Clyde Watts, asked the minister if he saw Walker lead a charge.

"I did not see General Walker lead the charge," he answered.

(Indicate page, name of newspaper, city and state.)

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Walker in Lead as Students Moved Toward Marshals, Newsman Testifies

A Nashville newsman testified Tuesday that he saw about 500 University of Mississippi students — with former Maj. Gen. Edwin A. Walker at their forefront — walk toward U. S. marshals on Sept. 30, 1962.

The newsman, Craig Ellis, 26, testified in 17th District Court in behalf of Associated Press, defendant in a \$2 million libel suit brought by the Dallas ex-soldier.

ELLIS SAID he heard Walker address students who were demonstrating over ad-

mission of Negro James Meredith to the university.

He related that Walker complimented the students on their "protest."

"There is no stopping point," Ellis said Walker told students. "You can continue. Many people from out of state are coming to Oxford."

Ellis, who was a reporter for the Nashville Banner at the time, said Walker made the speech from a Confederate monument located at the opposite end of a circle from the Lyceum, a campus building where the marshals were entrenched.

Ellis, now a United Press International reporter, said Walker descended from the monument and walked a few steps alone toward the Lyceum.

HE TESTIFIED that one, maybe two, men caught up to Walker and the trio moved toward the Lyceum.

As they walked, Ellis said, a solid line of people formed behind them and the entire group advanced on the Lyceum.

He said he lost sight of them at a flagpole in the center of the circle.

Walker contends he did not lead a charge against the marshals as reported by Associated Press writer Van H. Savell.

Ellis said on cross-examination that he did not hear Walker make several statements attributed to the ex-general by Savell.

He said he did not hear Walker give any orders to the crowd and he did not recall the students jeering Walker.

Ellis' testimony was supported in the deposition of Ole Miss student William W. Brit-

tingham, 21, of Delaware, which was read to the eight-man, four-woman jury.

Brittingham stated in the deposition that he heard Walker say, "The protests of these students will be heard all over the world," or something to that effect.

HE ALSO TOLD of seeing a large group of students with Walker at their head walking toward the Lyceum.

Earlier Tuesday, radio newsman John E. King Jr., 41, of West Point, Miss., testified he

heard Walker urge the students to riot.

He said Walker was told of some injuries to students, and the ex-general then said:

"You are doing all right. Riot. Riot. You are getting news all over the country. Now you've got casualties."

King said he also heard Walker say there was no stop-

ping point and that other persons were heading for the campus.

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Walker Claim Is Under Fire

Defense attorneys today hammered away at former Maj. Gen. Edwin Walker's contention that he never led a charge of students on U. S. marshals during the University of Mississippi riots in 1962.

The testimony in behalf of the Associated Press, which General Walker says fabricated the news story, continued to conflict sharply with that favoring the general.

YESTERDAY, A United Press International Wire Service writer, Craig Ellis, told the jury in the \$2 million libel suit that General Walker addressed a growing crowd, stepped from a Confederate monument, then advanced toward marshals surrounding the University Administration Bldg. The mushrooming crowd followed.

And William Brittingham, an Ole Miss student who participated in the riot on Sept. 30, 1962, testified by written sworn statement that a similar situation developed after the speech.

EARLIER, RADIO executive John King Jr. testified

that he heard General Walker say:

"You're doing all right — riot, riot. You are getting news all over the country. Now, you've got casualties." That statement, he said, came before the speech on the monument.

Witnesses, testifying last week that General Walker never led a charge, contended that no large group ever advanced toward the marshals. They claimed that only groups of from five to 20 persons, acting without leadership and organization, threw things at the marshals.

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Walker Case Nearing Jury

Testimony in former Maj. Gen. Edwin Walker's \$2 million libel suit against the Associated Press will end today.

Tomorrow, 17th Dist. Judge Charles Murray will hand the case to the jury after final arguments are heard.

Judge Murray said it is possible that no verdict in the two-week trial will be had until Monday. It will be impossible for the jury to deliberate Saturday because the county will not air condition a single courtroom on a weekend.

Yesterday, AP attorney J. A. Gooch rested his defense in the case. Now, attorneys for General Walker are placing rebuttal testimony into evidence.

THE LAST AP witness was Tom Gregory, a 29-year-old reporter from Meridian, Miss. The day after rioting erupted on the Ole Miss campus, the writer wrote a story that carried the headline: "Walker Charges, Then Retreats."

Mr. Gregory testified that his story was based on what he himself saw, not from accounts of happenings from AP wire services.

General Walker contends that he did not lead a charge of students against federal marshals on Sept. 30, 1962, at the university.

AP contends it distributed an accurate story of General Walker's actions on that night with "fair comment."

EARLIER, TRAVIS Buckley, county prosecutor from Louin, Miss., told the jury that he saw General Walker move toward the marshals with a large group of people.

Doyle Gorton Jr. said the crowd followed General Walker toward the marshals after the ex-Army commander stepped down from a Confederate monument, where he made a speech.

James Kingsley, reporter for the Commercial Appeal of Memphis, Tenn., said he saw the general motion "come on" as he approached the riot scene.

Throughout the trial, General Walker has maintained that he was only an observer to the night of violence and actually tried to discourage students from rioting.

Witnesses on opposing sides of the case have told sharply contrasting versions of what happened that night on the campus, when Negro James Meredith was integrated with federal force.

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Jury Charge Prepared In Walker Libel Suit

The 17th District Court jury hearing the \$2 million libel suit filed against the Associated Press by former Maj. Gen. Edwin A. Walker will answer these basic questions:

1. Do you find from the preponderance of evidence that the statement "Walker led a charge against federal marshals on the Ole Miss campus" was substantially true? Was the statement fair comment?

2. Do you find from the preponderance of evidence that the statement "Walker assumed command of the crowd" was substantially true? Was it fair comment?

Judge Charles Murray and attorneys for Walker and the AP worked on the charge to the jury Thursday morning and expected to have it ready for presentation to the jury Thursday afternoon.

Final arguments also were expected to be made to the jury late Thursday, with each side being permitted one hour for arguments.

Judge Murray said he expected the jury to begin deliberations Friday morning.

The jury charge also was to include a few questions which related to the two basic questions the jury must answer, plus some definitions of words and phrases in the charge such as "fair comment," "substantially true" and "malice."

Attorneys for the Associated Press rested Wednesday afternoon.

Walker's lawyers planned to offer some rebuttal testimony Thursday prior to the start of jury arguments.

The ex-soldier filed the suit against the news service because of AP accounts of Walker's activities on the University of Mississippi campus Sept. 30, 1962, during enrollment of Negro James Meredith.

Walker, and other plaintiff's witnesses, testified that the former general did not lead a charge against marshals and instead tried to discourage violence.

The defense offered witnesses who said Walker was at the front of a crowd which moved in the direction of U. S. marshals.

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Defense Rests Case In Walker Libel Suit

BY ED HORN

Attorneys for Associated Press rested their case Wednesday in the 17th District Court trial of former Maj. Gen. Edwin A. Walker's \$2 million libel suit against the wire service.

AP chief counsel J. A. (Tiny) Gooch announced the end of the defense presentation after testimony from Tom Gregory, 29, a reporter for the Meridian (Miss.) Star.

Gregory testified that he was at the University of Mississippi on Sept. 30, 1962, during riots over admission of Negro James Meredith and that he wrote a story which included a partial account of Walker's activities there.

Walker claims he was libeled in a story written by Associated Press reporter Van H. Savell. The story in controversy said the former general led a charge against U. S. marshals during the rioting.

Gregory testified that Savell, whom he knew, told him that Walker was on the Ole Miss campus.

He said Walker encountered several persons, and students yelled that the former general was "going up to the marshals."

Crowd of 200

"At that point, the general began striding at a rather fast clip toward the Lyceum," Gregory testified. He said a crowd he estimated at 200 persons followed Walker.

Gregory said the group went within 15 or 20 yards of a driveway surrounding the Lyceum, the school's administration building, where the marshals were entrenched.

"They continued going this way until the tear gas came, and I lost sight of Walker," Gregory said during cross-examination.

The Mississippi reporter said he wrote a story which appeared in the Meridian Star under the headline, "Walker Charges, Then Falls Back."

"That charge you're referring to is the movement toward the Lyceum Building," Gregory answered when Walker's attorney, C. J. Watts, questioned him.

Gregory told the four-woman, eight-man jury he had reported that Walker led a charge, but could find no such statement in his story.

In his story, which was admitted to evidence, Gregory wrote that rioters yelled, "Tear gas won't stop him (Walker)."

Tear Gas Fired

He identified Walker in the article as one of the outsiders who "egged and aided" students "into a rock-flinging, destructive riot."

Gregory testified that the marshals fired tear gas as the group advanced on them.

At this point in his story, he wrote, "Gen. Edwin Walker (retired) — who wouldn't retreat — did."

Gregory testified that he actually did not see Walker retreat, but said he was led to believe by other events that Walker did.

Watts asked Gregory whether the students cheered Walker and whether the ex-soldier seemed to have command of the crowd, as Savell reported.

"There were cheers and it was evident to me that the group seemed to be behind General Walker," Gregory related.

He made the statement in reference to a speech, which he testified Walker made after the mass movement toward the Lyceum.

Asked to Lead

Earlier Wednesday afternoon, an Ole Miss student and a former student testified that the movement toward the Lyceum came after the speech, made from a Confederate monument.

Both witnesses related, as have others, that Walker was asked to lead the crowd after the speech.

Both reported that he nodded, then moved in the direction of the Lyceum with a crowd following him.

First to take the stand Wednesday was Rev. Duncan Gray Jr., an Episcopal rector to whom prior and later witnesses referred.

Rev. Mr. Gray said he asked Walker to help calm the students.

"When I first asked him to speak to the students and to help us bring the rioting to a halt, he said he was not interested in putting a stop to what was going on," Rev. Mr. Gray testified.

He continued, "He said he (Walker) was there only as an observer and he also said the students have every right to protest."

"I believe at one point he said, 'I couldn't stop it if I wanted to, but I don't want to,'" the rector testified.

Rev. Mr. Gray said Walker later told the crowd, "He is an Episcopal minister that makes me ashamed to be an Episcopalian."

Another witness, student Donald James Proehl, said he heard Walker tell the group he was addressing he would lead them in their protest.

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Gen. Walker To Detail Acts

Former Maj. Gen. Edwin Walker stood poised today to relate what he actually did during the 1962 integration riots at the University of Mississippi.

Yesterday, the general took the stand in his \$2 million libel suit against Associated Press and briefly reviewed his distinguished military career prior to the integration of James Meredith at Ole Miss.

He told jurors many of the soldiers he commanded during "Operation Little Rock," the integration of Central High School under the Eisenhower Administration, did not want to participate in the federal use of troops in Arkansas.

HE RELATED that he himself attempted to resign from the Army immediately after that incident, but that the military would not accept his resignation.

He then told the jury that he was "attacked by the press" because of his "Pro Blue" program of educating members of the 24th Army Division in Germany on the enemy. Dist. Judge Charles Murray instructed the jury not to consider that statement.

General Walker, 55, stressed that he developed high morale and "the best division in the Army" through his "Pro Blue" education program. He said he was relieved of his command of the division on April 17, 1961 the date of the Bay of Pigs invasion of Cuba.

HE ADDED that he was never punished for anything he did in Germany. Instead, the decorated soldier indicated that he received a promotion, then later resigned his commission and gave up \$15,000 annually in retirement benefits.

He said he developed "personal concepts" concerning the "use of military forces in a civilian domain" during this period. This was partly the reason for his interest in the Ole Miss crisis. At the

same time, he noted Cuba was becoming more and more of a national threat.

On Sept. 25 or 26, 1962, he said he decided to go to Mississippi if he learned that federal forces would be committed to integrate James Meredith.

ON THE DAY before the rioting broke out, he said, he flew to Jackson, held a press conference in which he apparently had some difficulty with reporters, then decided to go to Oxford, where Ole Miss is located.

Today, he was to detail what he said and did when he reached the university campus.

Clyde Watts, the general's attorney, said he expects it will require about an hour of testimony for the ex-division commander to tell his story.

Lawyers for AP, accused by the general of fabricating a news story that he led a charge at U. S. marshals, said they would question the general on the stand for about three hours, possibly longer.

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Walker Described As Student Leader

FORT WORTH (AP)—An Associated Press newsman's deposition today described former Maj. Gen. Edwin A. Walker as the leader of a student charge during the 1962 segregation riots at the University of Mississippi.

The newsman, Van Savell, was not present in Dist. Judge Charles Murray's Tarrant County courtroom when parts of the sworn statement were read. Savell's dispatches from the Oxford, Miss., campus have been cited in Walker's \$2 million libel suit against the AP.

The second week of the libel trial got under way after a week-end recess.

At the weekend recess Friday, the plaintiff's case was near an end. When Walker's attorneys rest, the AP is expected to make motions for dismissal of the complaint. Failing these, defense testimony will be offered to the jury of four women and eight men chosen June 8.

Walker, 54, contends he was libeled by AP stories that he led a charge of students against U.S. marshals during the Sept. 30, 1962, desegregation riots at the University of Mississippi. Two men were killed during a crisis over the admission to Ole Miss of Negro James Meredith.

During three days on the witness stand last week, Walker testified he came from his home in Dallas merely to see what was going on at the Oxford campus. He said he never

approached within harassing distance of the marshals, and that he attempted in a speech to dissuade rioting students from violence.

In cross-examination, AP counsel sought to show that Walker interjected himself into an explosive situation, although aware of federal court orders that Meredith's integration into the university was not to be interfered with.

There was testimony also that before he went to Oxford, Walker sought to rally segregationists, with a broadcast plea to "bring your flag, your tent and your skillet, 10,000 strong, from every state in the union."

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Walker's Friend To Testify

A close friend of former Maj. Gen. Edwin A. Walker was in Washington Tuesday to testify before the Warren Commission investigating the death of President Kennedy.

He is Robert A. Surrey, a printing salesman who lives at 3506 Lindenwood. He left for the nation's capital Monday afternoon after being subpoenaed to appear before the commission at 10 a.m. Tuesday.

Mrs. Surrey said Tuesday morning she had "not the vaguest idea" what her husband would be questioned about.

However, it is presumed Mr. Surrey will be asked questions in connection with the April 10, 1963, incident when a sniper fired at Gen. Walker through the window of his home on Turtle Creek Drive.

Mrs. Surrey said the former general telephoned her husband immediately after the shooting and asked him to come over. Mr. Surrey told police at that time he had seen two men in a car in the alley behind Gen. Walker's house two nights before the shooting.

Accused assassin Lee Harvey Oswald was suspected of firing the bullet at Walker as the former general sat working on his income tax. Police ballistics tests showed the bullet came from a rifle like that owned by Oswald, but the tests were not conclusive.

Oswald's widow, Marina, has said her husband talked about shooting at Gen. Walker.

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AP Resumes Libel Defense in Trial

FORT WORTH (AP)—The Associated Press resumes today defense testimony in a \$2 million libel suit brought by former Maj. Gen. Edwin A. Walker. Three witnesses for the news association were heard Tuesday.

A jury of four women and eight men in Dist. Judge Charles Murray's courtroom are trying to decide whether the AP libeled Walker in news stories two years ago out of Oxford, Miss. These involved a segregationist riot Sept. 30, 1962, on the University of Mississippi campus.

Walker, 54, charged that he falsely was reported as leading a charge of student rioters against U.S. marshals, on duty on the campus to insure the entrance to the university of Negro James H. Meredith.

The AP opened its defense on Tuesday and among the witnesses was Craig Ellis, 26, a United Press International newsman who was on the Ole Miss campus during the riots as a reporter for the Nashville Banner.

Craig testified that Walker made a speech to students from a Confederate monument on the campus, and added that when it ended:

"He stood where he was for a short period of time, then turned left and stepped down from the monument. He took

several steps up the walk by himself. I recall that one or maybe two men caught up with him. These two or three, including Gen. Walker, moved 10 or 12 feet up the sidewalk.

"About that time the people listening to him moved behind him and then a solid line formed behind the general."

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Walker Libel Suit In Hands of Jurors

BY ED HORN

Former Maj. Gen. Edwin A. Walker's \$2 million libel suit against the Associated Press was placed in the hands of a four-woman, eight-man jury in 17th District Court Thursday.

The jury received the case about 4:25 p. m. and began deliberations after closing arguments by attorneys.

Judge Charles J. Murray told jurors before they retired they could set their own hours.

They decided to go home at shortly before 5 p. m. and resume deliberations at 9 a. m. Friday.

William Andress of Dallas, one of Walker's attorneys, opened the final arguments by attacking the failure to testify of Van H.

Savell, the wire service reporter who wrote the story upon which the lawsuit is based.

Savell wrote in the disputed story that Walker led a charge of students against U. S. marshals at the University of Mississippi Sept. 30, 1962, during rioting over admission of Negro James Meredith to the school.

The Dallas ex-general, 54, claims he was libeled by the story.

"One big portion of this picture is missing," Andress told the jurors. "That portion is to hear live, from the witness stand where we can cross-examine him, Van Savell."

Andress said he had always heard that all newsmen aspire to be writers.

But, he proclaimed, "I don't think they ought to start their career in the first year by writing fiction."

J. A. (Tiny) Gooch, chief counsel for AP, answered Andress by pointing out that Savell's deposition had been taken and used.

In his low-key argument, Gooch briefly outlined evidence presented during the trial.

Walker's chief attorney, Clyde J. Watts of Oklahoma City, winced and grabbed some papers from the counsel table when Gooch pointed out that a United Press International report cited by the plaintiff had never been placed in evidence.

The UPI report, which stated—in direct conflict with the AP version—that Walker had cautioned students against violence, had been referred to several times by Watts during the trial.

Dramatic Appeal

Watts made a dramatic appeal during his argument for Walker, whom he said is "a man whose concepts of duty, honor, country reach a sublime plane of selfless devotion."

Of the issues in the lawsuit, Watts thundered, "They involve the question of the absolute survival of this country."

He claimed the wire service was "fighting for the right to lie."

Watts closed by saying, "Had Ted Walker led a charge against U. S. marshals, you would have heard from that witness stand—"

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Jurors, when they return Friday, must answer these basic questions:

1. Do you find from the preponderance of evidence that the statement "Walker led a charge against federal marshals on the Ole Miss campus" was substantially true? Was it fair comment?

2. Do you find from the preponderance of evidence that the statement "Walker assumed command of the crowd" was substantially true? Was it fair comment?

Witnesses Deny Charge

They also must decide whether the AP displayed malice and set the amount of damages in event they rule for Walker.

The former general and other witnesses testified that he did not lead a charge.

Several defense witnesses said that Walker was at the forefront of a crowd which moved in the direction of the marshals.

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'Something More Than Libel'**Jury Has Walker Suit**

By JACK MOSELEY

Both sides say the Edwin Walker libel trial jury, which was deliberating a verdict today, is making a decision on something more than a \$2 million damage suit.

Attorneys for the former major general told jurors that the Associated Press is fighting for the "right to lie." Atty. Clyde Watts said the public is as dependent upon the public press for information as "a nursing baby is upon his mother."

Atty. J. A. Gooch, speaking for AP, said the jury is deciding whether one individual can place himself above the law.

Mr. Watts said the very survival of the United States is involved when news media do not report the truth.

Gen. Walker's lawyers hammered away that AP, accused of writing an untrue account of General Walker's activities during the University of Mississippi integration riots in 1962, failed to put their "hired

hand," the reporter, on the witness stand.

Mr. Gooch countered with the fact that attorneys for General Walker had a full day to question the writer of the news story in question and take his statement under oath.

Mr. Gooch also stressed that in 1957, General Walker told students at Little Rock's Central High School that no man has a right to place himself above the law.

Then, the attorney argued, General Walker, in 1962, said "nauseating, nauseating," when he heard President John Kennedy tell the nation the same thing on the night of the riots at Ole Miss.

A verdict is expected today.

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Walker Gets \$800,000 AP Verdict

BY ROGER SUMMERS

A 17th District Court jury said Friday the Associated Press must pay former Maj. Gen. Edwin A. Walker \$800,000 as a result of the news service's account of the ex-soldier's activities on the University of Mississippi campus Sept. 30, 1962.

Of the amount, \$500,000 is for actual damages and \$300,000 is for exemplary or punitive damages.

The jury handed its decision to Judge Charles Murray at 11:15 a. m.—which meant jurors deliberated 2 hours and 45 minutes.

Walker and his chief attorney, Clyde Watts of Oklahoma City, appeared elated over the decision.

Mother Pleased

When Judge Murray read the jury's answer aloud—an answer which was in Walker's favor—the former general and Watts turned to each other, smiled and shook hands.

Walker's mother, who was sitting in the courtroom, said tearfully to her 54-year-old son, "They cleared your name."

Walker filed a \$2 million libel suit against the AP. One of the AP stories involved in the lawsuit stated that Walker led a charge on the Ole Miss campus during enrollment of Negro James Meredith.

The jury said Walker did not lead a charge and that the AP's statement that he did was not substantially true and did not constitute fair comment.

Finding of Malice

The jury said:

1. The AP was actuated by malice in stating that Walker led a charge.
2. A statement by AP that Walker assumed command of a crowd was not substantially true.
3. The statement that Walker assumed command of a crowd did not constitute fair comment.
4. The AP was actuated by malice in reporting that Walker assumed command of a crowd.

The AP's chief attorney, J. A. (Tiny) Gooch, said the verdict would be appealed.

Wes Gallagher, AP general manager, in a statement, said:

"The Associated Press will appeal the verdict of the jury in this case.

"In the light of the evidence presented by both sides, the Associated Press is confident that

the verdict will not be upheld on appeal."

The appeal will go to the Second Court of Civil Appeals here, the next highest state court.

Attorneys for AP can ask Judge Murray to grant them a new trial or file a motion with Judge Murray in which they request that he set aside the jury's verdict.

The trial court judge has the right to set aside any verdict in whole or in part if the judge feels the verdict is not supported by evidence presented in the case.

After the decision was announced, Watts, asked for comment, referred newsmen to Walker.

Walker walked to the rear of the courtroom and shook hands with jury members as they left the jury box.

Later, he returned to the counsel table and told reporters this:

"The jury has reflected the
Turn to Walker on Page 6

(Indicate page, name of newspaper, city and state.)

1 & 6

"Ft. Worth
Star Telegram"
Ft. Worth, Texas

Date: 6/19/64

Edition:

Author: Jack Butler

Editor: John Ellis

Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

cc to Bureau 6/22/64

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SEARCHED	INDEXED
SERIALIZED	FILED
JUL 2 1964	
FBI - DALLAS	

Hasty

Walker Gets \$800,000 in Libel Suit

From Page 1.

attitude of the entire country with respect to false and one-sided reporting of the news.

"I am happy that a jury in Fort Worth has proven through this incident the overall situation with regard to news reporting nationally and internationally.

"The AP's defense was based on the right of a news service to lie, a news service which has over 6,000 outlets in over 100 countries in at least 50 translations."

After making the statement to reporters, Walker, carrying his large Western-style hat, walked from the courtroom in the company of his mother and friends who had sat behind him during the two-week lawsuit.

He chatted with them, shaking their hands.



—Star-Telegram Photo

AWARDED DAMAGES BY JURY

... Edwin A. Walker wins libel suit

(Mount Clipping in Space Below)

Walker Gets Libel Award

FORT WORTH, Tex. (AP)—A Fort Worth District Court jury said today former Maj. Gen. Edwin A. Walker was libeled by Associated Press stories during the 1962 University of Mississippi race riot.

The AP immediately gave notice of appeal.

The jury, in answering questions given by the judge, said Walker should receive \$500,000 for actual damages and \$300,000 for exemplary or punitive damages.

"The Associated Press will appeal the verdict of the jury in this case," said Wes Gallagher, AP general manager, in a statement.

"In the light of the evidence presented by both sides, The Associated Press is confident that the verdict will not be upheld on appeal," Gallagher said.

NEXT HIGHEST COURT

The appeal will go to the next highest state court, the 2nd Court of Civil Appeals, also in Fort Worth.

The verdict, after two hours

and 15 minutes of deliberation, climaxed a nine-day trial of a civil suit in which Walker asked \$2 million alleged damages.

The case went to the jury of four women and eight men late Thursday after nine days of trial before 17th District Court Judge Charles J. Murray. The panel met about half an hour, elected a foreman, then recessed.

In final arguments, attorneys for the former Army major general said some AP stories of Walker's actions during the Sept. 30, 1962, segregation riot at the University of Mississippi were "mighty close to fiction, with lots of embellishments." The AP contended its reports were accurate in fact and substance, without malice.

Walker filed suit asking \$1 million for alleged damages and another \$1 million as exemplary damages or punishment. Walker also filed similar suits totaling more than \$20 million against other newspapers and magazines. The suit here was the first to come to trial.

(Indicate page, name of newspaper, city and state.)

"The Dallas Times-Herald"
Dallas, Texas

A-1

Date: 6-19-64
Edition:
Author:
Editor: **Felix R. McKnight**
Title:

Character:
or
Classification:
Submitting Office: **Dallas**
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157-218-120

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 22 1964	
FBI - DALLAS	

Hasty

No copy to Bureau - AP release fee

(Mount Clipping in Space Below)

Suit Won By Walker Against AP

FORT WORTH, Texas (AP) — Former Maj. Gen. Edwin A. Walker Friday won an \$800,000 libel judgment against the Associated Press, in connection with stories about his activities during the 1962 segregation riot at the University of Mississippi. He had asked damages of \$2,000,000.

A district court jury deliberated 2 hours and 15 minutes in finding the AP guilty of falsely describing Walker as assuming command of student rioters and leading them in a charge against U.S. marshals on the Ole Miss campus Sept. 30, 1962.

The AP's general manager, Wes Gallagher, said in a statement following the verdict:

"The Associated Press will appeal the verdict of the jury in this case. In the light of the evidence presented by both sides, the Associated Press is confident that the verdict will not be upheld on appeal."

Walker said the jury verdict justified his position.

Walker, 54, filed more than \$20,000,000 in libel suits against the AP and various newspapers as an outgrowth of the rioting nearly two years ago over the admission to the University of Mississippi of Negro James Meredith.

The Fort Worth suit was the first to come to trial.

In a verdict, the jury held that an AP statement that Walker "led a charge of students against federal marshals on the Ole Miss campus" was false, that it did not constitute fair comment, was not made in good faith and was actuated by malice.

The jury then made a similar finding on a statement by the AP that on the night of the mob riot "Walker assumed command of the crowd."

The jury awarded Walker \$500,000 for damage to his reputation and for mental anguish. It added an additional \$300,000 as punishment for the malice which it held was inflicted upon Walker.

(Indicate page, name of newspaper, city and state.)

"The Dallas
Morning News"
Dallas, Texas

1-7

Date: 6-20-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:

or

Classification:

Submitting Office: Dallas

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SEARCHED	INDEXED
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JUN 22 1964	
FBI - DALLAS	

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Walker Wins Libel Award; AP To Appeal

FORT WORTH (AP)—A jury of four women and eight men in Fort Worth District Court ruled Friday that former Maj. Gen. Edwin A. Walker was libeled by Associated Press stories of his part in the 1962 University of Mississippi race riot.

The Associated Press gave immediate notice of appeal to the next highest state court, the 2nd Court of Civil Appeals in Fort Worth.

The verdict, after nine days of trial and 2 hours and 15 minutes of deliberation, said Walker should have \$500,000 for actual damages and \$300,000 for exemplary damages or punishment.

Walker had asked \$2 million in alleged damages. This was the first suit to come to trial of a series totaling more than \$20 million filed by Walker against the AP and various newspapers after the campus riot following admission of Negro student James H. Meredith. Two persons were killed in the riot.

Testimony showed groups of students attacked U.S. marshals with rocks, sticks and bottles throughout the night of Sept. 30, 1962, and the marshals fired tear gas in return. Walker said he was on the campus in the midst of the disturbance for almost five hours but said he went there only to observe and his only active part was to make a speech. The AP said its stories were true in fact and substance.

AP General Manager Wes Gallagher said in a statement following the verdict:

"The Associated Press will appeal the verdict of the jury in this case. In the light of the evidence presented by both sides The Associated Press is confident that the verdict will not be upheld on appeal."

Walker said that the jury verdict justified his position.

(Indicate page, name of newspaper, city and state.)

"The Dallas
Times-Herald"
Dallas, Texas

A-7

Date: 6-20-64
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

157-218-

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 23 1964	
FBI - DALLAS	

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AP release
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(Mount Clipping in Space Below)

General Walker Jury Talked 'No Politics,' Panel Members Say

By JACK MOSELEY

The jury's job is finished. They have ruled that the Associated Press must pay former Maj. Gen. Edwin Walker \$800,000 in damages because of a news story written in 1962.

Now begins the long trial for appeal for AP's attorneys.

But what of the jury? Were they influenced by politics? How did they reach their verdict? Could anything have changed it?

The Press went after the answers, found six of the jurors.

It seemed significant to the jurors that the writer of the AP story did not take the witness stand. Only his written deposition was read, claiming General Walker led the charge on U. S. marshals during the integration riots at the University of Mississippi. Could his testimony in person have changed the verdict?

The verdict was reached openly by a show of hands, without a secret ballot.

At no time, some jurors reported, was politics, the Kennedy Administration or General Walker's membership in the John Birch Society, or civil rights discussed.

THE VOTE WAS taken after jurors read the sworn testimony of Van Savell, the newsman who wrote that General Walker led a charge of students at federal officers.

At least one member of the jury wanted to award the

West Point graduate a million dollars in actual damages. The jury finally agreed on \$500,000, plus another \$300,000 as punishment to the wire service for distributing the story.

These are comments of jurors contacted:

Mrs. T. E. Tomlinson of 4001 Pershing, wife of a materials and testing engineer, a Democrat who agrees with President Johnson "most of the time." "I don't believe in everything General Walker has done. But I think he was entitled to some compensation for the libel they printed

about him."

Bennie E. Jones of 2225 Moneda, heavy equipment operator for the county health department, Democrat. "I'm not a General Walker fan. But I don't think that had anything to do with it. I just called it exactly like I saw it."

J. H. Downs Sr. of 3115 NW 32nd. "I'm only a welder who has lived in Fort Worth most of my life. But I wouldn't take a deed to the entire United States for my name. He (General Walker) had to be damaged according to the charge we got from the judge.

He's (General Walker) a wonderful man."

Mrs. I. A. Smith of 3537 Ruth Rd., wife of a Federal Aviation Agency engineer. "We never discussed his membership in the John Birch Society or civil rights."

Waverly L. Johnson of 5709 Whitman Ave., assistant aviation director for the City of Fort Worth, Democrat. "I generally agree with him (General Walker) in what he said on the witness stand. I think we all did." Mr. Johnson said he did not take the verdict to be an attack on the American press in general.

"Fort Worth Press"
Fort Worth, Texas

Date: 6-21-64
Edition:
Author:
Editor: **Walter R. Humphrey**
Title:

Character:

or

Classification:

Submitting Office: **Dallas**

☐ Being Investigated

157-218-111

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 23 1964	
FBI - DALLAS	

Hosty

Copy sent Bureau 4/24/64

(Mount Clipping in Space Below)

Wire Service Will Appeal Verdict Favoring Walker

An Associated Press spokesman said the wire service will appeal an \$800,000 libel suit verdict against it won Friday by former Maj. Gen. Edwin A. Walker.

An all-white, four - woman eight-man jury in 17th District Court awarded Walker the damages at 11:15 a. m. Friday, ruling libelous an AP account of the ex-soldier's activities during rioting at the University of Mississippi Sept. 30, 1962.

AP General Manager Wes Gallagher, in a statement made after the verdict, said: "The Associated Press will appeal the verdict of the jury in this case.

"In the light of the evidence presented by both sides, the Associated Press is confident that the verdict will not be upheld on appeal."

CLYDE J. WATTS, chief counsel for Walker, said, however:

"They have as much chance of reversing this case as I have of flying out that window, around the First National (Bank) Building and back."

"Oh, we'll crucify them in Mississippi, and in Louisiana, too," Watts said to two young men, one of them an Ole Miss student who had testified. "And they deserve it, too," he added.

"Like I told the jury yesterday, they (AP) were fighting for the right to lie," the attorney rejoiced.

Watts mentioned he thought the verdict — made in the first of eight such suits to

come to trial — would help Walker's political career.

THE DALLAS ex-general unsuccessfully sought the Democratic nomination for governor in 1962.

Amon Carter Jr., Carter Publications, Inc., the Star-Telegram and WBAP radio and television stations also were originally named as defendants when the suit was first filed.

But all defendants except the Associated Press were dismissed at the motion of Walker's attorneys before the case went to trial.

Jurors capped the two-week trial after deliberating two hours and 45 minutes.

They awarded the 54-year-old Walker \$500,000 in actual damages and \$300,000 in exemplary or punitive damages.

Judge Charles Murray said later the plaintiff filed a motion for judgment Friday

afternoon. Interest — \$133 per day — will accumulate as soon as the judgment is signed, if it is, until final disposition of the case.

However, attorneys for AP, headed locally by J. A. (Tiny) Gooch, can request a new trial or ask that the jury verdict be set aside.

JUDGE MURRAY has the right to set aside any verdict in whole or in part if he feels the verdict is not supported by evidence presented in the case.

If the trial court judge enters judgment for Walker, the case will go to the Second Court of Civil Appeals here, the next highest court.

The story in dispute, written by Van H. Savell, said Walker led a charge of rioting students and assumed command of a crowd during Ole Miss rioting over admission of Negro James Meredith.

But the jury ruled that Walker did not lead a charge and that he did not take command of a crowd.

Jurors also held that the statements by AP were not fair comment, were not made in good faith, and that the

wire service was actuated by malice.

AFTER THE decision, Walker walked to the rear of the courtroom and shook hands with the jurors as they filed out of the jury box.

"The jury has reflected the attitude of the entire country with respect to false and one-sided reporting of the news.

"I am happy that a jury in Fort Worth has proven through this incident the overall situation with regard to news reporting nationally and internationally.

"The AP's defense was based on the right of a news service to lie, a news service which has over 6,000 outlets in over 100 countries in at least 50 translations."

"Fort Worth Star Telegram"
Ft. Worth, Texas

Date: 6-20-68
Edition:
Author: Jack Butler
Editor: John Ellis
Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

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Bureau 6/24
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157-218
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Walker Jury Award Reduced \$300,000

FORT WORTH (AP) — District Court Judge Charles Murray today reduced former Maj. Gen. Edwin A. Walker's jury award in his libel suit against the Associ-

ated Press from \$800,000 to \$500,000.

The judge also ruled that the Associated Press was not actuated by malice in writing about Walker's activities on the University of Mississippi campus. The jury said the Associated Press was.

Walker filed the lawsuit in connection with the Associated Press accounts of his activities on the Ole Miss campus during enrollment of Negro James Meredith Sept. 30, 1962.

The jury in June said Walker should be given \$500,000 for actual damages and \$300,000 for exemplary or punishment damages.

Since Judge Murray said no malice existed, he threw out the jury award of \$300,000 for exemplary damages.

Attorney J. A. Gooch, who represented the Associated Press, said he would have no comment until after reading Judge Murray's decision.

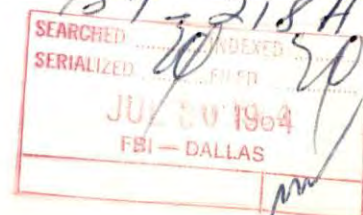
(Indicate page, name of newspaper, city and state.)

24 "The Dallas
Times-Herald"
Dallas, Texas

Date: 7-30-64
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated



Both Sides Ask Judgment In Walker Suit Against AP

Attorneys for former Maj. Gen. Edwin A. Walker formally asked 17th District Court Judge Charles Murray Thursday to sign a judgment in compliance with an \$800,000 jury verdict in Walker's favor.

But attorneys for the Associated Press, who Walker sued for libel and against whom the jury decision was rendered, requested that Murray set aside the jury verdict and sign a judgment in the AP's favor.

The request came in a 1½-hour hearing before Murray, who cut his vacation short to hear the arguments.

At the conclusion, Murray announced that he would study law books for several days and notify attorneys for both sides of his decision in a letter, which may be made public as early as Tuesday.

AP's Argument

The AP's chief attorney, J. A. (Tiny) Gooch, told Murray:

"It is respectfully submitted that the jury's verdict should be disregarded in its entirety and judgment entered for the defendant because of the undisputed activities of plaintiff (Walker), which were certainly of a nature as to cause a viewer to describe them as did the writer for the AP."

Walker filed the lawsuit as a result of AP accounts of his activities on the University of Mississippi campus Sept. 30, 1962.

A 21-year-old AP reporter, Van Savell, wrote that Walker led a charge against U. S. marshals.

Gooch said that witnesses testified "at one time or another that plaintiff led a group of persons westward toward the marshals . . ."

'Substantially True'

Gooch said evidence conflicted only as to the number that followed Walker and that thus the statement that Walker led a movement substantially was true.

Gooch added that Walker "advertised of his own volition his appearance on the campus of the University of Mississippi for several days prior to his actual entry."

Had the press not reported a followup on Walker's activities, Gooch said, "The press would have been less than honest with its readers."

Under Murray's definitions of comment, leadership and charging, Gooch stated, "The jury could not have in good conscience answered the issues submitted in any way other than that the alleged libelous statements were true in substance and were fair comment."

Gooch also insisted there was

no evidence of malice presented the jury. The jury, in reaching its decision June 19, said AP was actuated by malice.

'Arrogance' Charged

One of the attorneys for Walker, Clyde Watts, insisted that Murray should sustain the jury's verdict.

He said there has been "a rise of arrogance and tyranny" on the part of news media.

He said news media have the right to comment editorially and told Murray, "They can comment but they can not lie."

Watts said there are two tragedies relative to Walker's situation — one that Walker was

forced to spend six days and nights in a "prison nut house" after his appearance on the Ole Miss campus and the other that news media are "inclined to teach young men to lie."

Watts said that the AP account of Walker's activities on the campus were handled "in a slipshod and careless manner."

(Indicate page, name of newspaper, city and state.)

3rd Ft. Worth
Star Telegram
Ft. Worth, Texas

Date: 7/23/64

Edition: Evening

Author:

Editor:

Title: Jack L. Butler

Character:

or

Classification:

Submitting Office:

☐ Being Investigated **Dallas**

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Attorneys Argue Walker Verdict

Attorneys for former Maj. Gen. Edwin A. Walker and the Associated Press argued their causes for 1½ hours Thursday in 17th District Court.

The ex-soldier's lawyers asked Judge Charles Murray to enter judgment in line with an \$800,000 jury verdict for Walker, and AP lawyers asked that the jury finding be set aside.

Judge Murray, who cut short his vacation to hear the arguments, announced he would notify both sides by letter of his decision, possibly as soon as Tuesday.

Walker won the \$800,000 verdict last month during the two-week-long trial of a libel suit against the wire service.

He charged, and the jury found, that an AP story of his activities during rioting which accompanied enrollment of Negro James Meredith into the University of Mississippi was libelous.

(Indicate page, name of newspaper, city and state.)

7 "Ft. Worth
Star Telegram"
Ft. Worth, Texas

Date: 7/24/64

Edition:

Author:

Editor:

Title: Jack L. Butler

Character:

or

Classification:

Submitting Office:

Dallas

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157-218A
157-218-131

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AP, Loser to Walker, Asks New Libel Trial

Attorneys for the Associated Press asked 17th Dist. Court Judge Charles Murray yesterday to grant a new trial in the Edwin A. Walker libel case.

A jury awarded the former major general \$800,000 in dam-

ages June 26. Judge Murray later reduced this amount to \$500,000 after ruling the wire service showed no malice.

He let stand, however, the jury's finding that AP erroneously reported that General Walker "led a charge" against federal marshals during the Ole Miss integration riots.

The motion filed today, alleges that the jury's verdict was "manifestly wrong and unjust." And it stated the damage sum awarded was "grossly excessive."

Judge Murray also today signed an order giving the AP the right to file an amended motion for a new trial within 20 days. That motion is expected to be filed and is expected to contain detailed arguments as to why a new trial should be granted.

No order will be handed down by Judge Murray until the 20 days has elapsed.

(Indicate page, name of newspaper, city and state.)

8 "Ft. Worth Press"
Ft. Worth, Texas

Date: 8-13-64

Edition:

Author:

Editor: Walter R. Humphrey

Title:

Character:

or

Classification:

Submitting Office: Dallas

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AUG 14 1964
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Judge Asked To Set Aside Walker Ruling

The Associated Press Wednesday asked Judge Charles Murray in 17th District Court to set aside a libel judgment won by former Maj. Gen. Edwin A. Walker and order a new trial.

A jury decided that Walker should receive \$800,000 in damages because of the wire service's accounts of his role at the University of Mississippi campus during rioting over enrollment of James Meredith, a Negro.

Judge Murray recently reduced the award to \$500,000.

The AP attorneys have 30 days to file an amended motion for a new trial after which Judge Murray will schedule a hearing on the motion.

(Indicate page, name of newspaper, city and state.)

2
"Ft. Worth
Star Telegram"
Ft. Worth, Texas

Date: 8-13-64

Edition:

Author:

Editor:

Title: Jack L. Butler

Character:

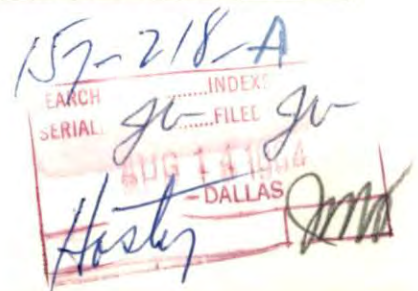
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Classification:

Submitting Office: Dallas

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AP Accuses Walker Libel Jury Of Misconduct, Asks New Trial

The jury which awarded former Maj. Gen. Edwin A. Walker a libel verdict of \$800,000 against the Associated Press, Monday was charged with misconduct by attorneys for the wire service.

The lawyers backed up their assertion with affidavits from two jurors who stated that two other jurors had said all news media release false and malicious news reports.

THE MISCONDUCT charge was made in an amended motion for a new trial which—along with the affidavits—was filed in 17th District Court, where the suit was tried in June.

In one of the sworn affidavits, one juror, M. L. Meriweather, said:

"Two jurors stated that all news media had in the past been guilty of false and malicious news reports. One jur-

or stated that news services were always publishing false and malicious reports.

"One juror stated that we should award Walker \$1 million because the Associated Press had plenty (of money) and would never miss it.

"At some time before or during the deliberations a juror remarked that a Georgia football coach had gotten a big libel damage award."

IN A DEPOSITION taken June 24, another juror, W. J. M. Tarter, agreed he had heard two jurors condemn all news media, but added, "In my opinion this malicious reporting did not affect the verdict."

The attorneys for the wire service charged that the statements by the unnamed jurors displayed prejudice against news media.

They also charged that the statement concerning the AP's

financial resources and a statement that the plaintiff never gets the damages for which he sues were not in evidence.

Since the statements were not in evidence, the attorneys argued, it was improper for jurors to consider them.

The lawyers asked for a new trial of the lawsuit on the basis of their misconduct charge.

Judge Charles J. Murray set a hearing on the motion for 9:30 a. m. Sept. 18.

The jurist in July reduced the amount of the jury's award to Walker to \$500,000.

JURORS AWARDED Walker \$500,000 for actual damages and \$300,000 for punitive damages. But Judge Murray ruled Walker was not entitled to punitive damages.

The allegedly libelous story concerned Walker's activities during rioting which accompanied enrollment of Negro James Meredith into the University of Mississippi in the fall of 1962.

Amon Carter Jr., the Star-Telegram, Carter Publications, Inc., and WBAP radio and television stations also were named as defendants in Walker's original petition but were dismissed upon motion of Walker's attorneys.

(Indicate page, name of newspaper, city and state.)

1
"Ft. Worth
Star Telegram"
Ft. Worth, Texas

Date: 9-1-64
Edition:
Author:
Editor:
Title: Jack L. Butler

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

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FBI - DALLAS	

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AP Attorneys Moving Step by Step

BY DON McDOWELL

Attorneys for the Associated Press will not have wasted their time if Judge Charles J. Murray overrules their motion for a new trial in the Edwin A. Walker libel case.

The wire service's lawyers will have completed another step in perfecting an appeal if the 17th District Court judge denies them a new trial.

The motion filed Monday in Murray's court alleges that ju-

rors, who awarded the former Army major general \$800,000 in June, were guilty of misconduct during their deliberations.

Along with the motion, the attorneys submitted affidavits from two jurors who stated that two other jurors had said all news media release false and malicious news reports.

Also allegedly made by jury members were statements about a Georgia football coach getting a large libel award, that

the AP has a lot of money and wouldn't miss what it paid Walker, and that the plaintiff never gets the damages for which he sues.

Jury misconduct such as alleged by the wire service can be defined as introduction of evidence by a juror during deliberation rather than by a witness in court and consideration of this evidence by the jury in reaching a verdict.

Such allegations are not un-

usual, especially in civil damage suits. Here is an example of a type frequently alleged by the losing side in suits growing out of auto accidents:

A juror is accused of telling other members of the panel that he has had a dispute with an insurance company. He points out that the defendant is covered by insurance.

"Let's make this company pay off because the plaintiff certainly needs money and the insurance company wouldn't miss it anyway," he is accused of saying.

Other jurors, it is often alleged, agree and return a verdict for the plaintiff.

(Indicate page, name of newspaper, city and state.)

2
"Ft. Worth
Star Telegram"
Ft. Worth, Texas

Date: 7-2-64
Edition:
Author:
Editor:
Title: Jack L. Butler

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

157-218A

SEARCHED	INDEXED
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JUL 4 1964	
FBI DALLAS	

Hosty

Murray has called a hearing for Sept. 18 on the AP motion for a new trial. Here's what will happen then:

Some — perhaps all — members of the jury will be called to testify about what was discussed in the jury room.

If testimony shows that jurors did introduce evidence, Murray will decide if the evidence was material to the Walker case.

If material, he must then decide if the evidence affected the verdict.

If the verdict was affected, a new trial will be ordered. If not, attorneys for the AP will have completed their second round in perfecting an appeal.

Before an appellate court will hear a case, all errors claimed must have been presented to the trial judge and denied. The trial judge must be given first opportunity to correct error.

The AP lawyers' first appellate move was introduction of a motion to set aside the judgment (the \$800,000). Here they were partially successful — Murray threw out the \$300,000 in punitive damages awarded Walker.

(Mount Clipping in Space Below)

AP's Attempt to Get Another Trial Fails

Judge Charles J. Murray of 17th District Court Wednesday ruled that the Associated Press is not entitled to a new trial in the libel suit brought against it by former Maj. Gen. Edwin A. Walker.

Attorneys for the wire service had asked for the new trial on grounds of jury misconduct during the deliberations in which jurors decided to award Walker \$800,000, which was reduced to \$500,000 by the court.

Judge Murray stated in a letter to the attorneys that a juror

said AP was always hurting someone and printing false and malicious reports.

The jurist also found that jurors made statements that the wire service had plenty of money and would never miss it, and that a football coach had received a substantial libel award.

He ruled that the last two statements constituted misconduct, but held that none of the statements affected the outcome of the case.

(Indicate page, name of newspaper, city and state.)

6 "Ft. Worth
Star Telegram"
Ft. Worth, Texas

Date: 10-1-64

Edition:

Author:

Editor:

Title: Jack L. Butler

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

157-2187-139

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OCT 2 1964	
FBI - DALLAS	

157-2187

(Mount Clipping in Space Below)

New Trial Denied In Walker Libel Suit Against AP

West Texas Bureau of The News

FORT WORTH, Texas — Dist.

Judge Charles J. Murray Wednesday overruled an Associated Press motion for a new trial concerning libel charges brought by former Maj. Gen. Edwin A. Walker.

The wire service, which has been ordered to pay Walker \$500,000, had sought a new trial on the grounds of jury misconduct.

Judge Murray found that one or more jurors did make statements concerning the wire service's finances and about a football coach's libel award, which did constitute jury misconduct.

But, at the same time, he ruled the jury misconduct was not material to the case, and did not affect the jury's final decision.

AP attorneys indicated they would appeal.

(Indicate page, name of newspaper, city and state.)

3

"The Dallas
Morning News"
Dallas, Texas

Date:

10-1-64

Edition:

Author:

Editor:

Jack B. Krueger

Title:

Character:

or

Classification:

Submitting Office:

Dallas

☐ Being Investigated

157-218A

SEARCHED	INDEXED
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FBI - DALLAS	

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Conservatives Set For Third Party

CHICAGO (UPI)—The Congress of Conservatives ended a three-day meeting Saturday with a pledge "to participate in the formation of a national anti-Communist party."

A declaration said delegates to the meeting would comprise an advance committee to "encourage the formation of appropriate new state parties, support existing independent parties, seek the achievement of a national committee and encourage the appearance of potential candidates for the new national party's nomination."

Delegates roared approval of a 16-point action program prepared by the Political Action Executive committee.

The action program urged liberating Cuba "from its Communist conquerors."

"We should capture Chinese and Russian Communists now based in Cuba, and hold them as hostages pending release of Americans from Russia and Red China," the program said.

It also would:

—Re-establish free government on the mainland of China "as a permanent solution to Communist aggression in Southeast Asia."

—End "federal support of Communist subversion of America

through agitation of racial turmoil in the streets."

—Break relations with Russia and the East European satellites and continue nonrecognition of Red China.

—"Reappraise the political and military doctrines which have, during the past 20 years, reduced the United States from a position of incomparable power to a condition of national peril" and "stop unilateral disarmament."

The action program also proposed that the United States withdraw from all projects that would establish world government, severely restrict permanent immigration and "eliminate unconstitutional and uneconomic business and industrial operations of the federal government," which would "make practical the repeal of the Marxist-oriented graduated federal income tax."

Kent Courtney, New Orleans, La., publisher and chairman of the meeting, asked delegates to indicate their support of the declaration and action program.

They stood and cheered.

Following the acceptance, former Maj. Gen. Edwin A. Walker told the audience:

"I know you feel the historical importance of the event of this hour. We do not have a party in America today — any party. We have only a dictatorship."

(Indicate page, name of newspaper, city and state.)

"The Dallas Times-Herald"
Dallas, Texas

Date: 5-2-65
Edition:
Author: EDWIN A. WALKER
Editor:
Title: Felix R. McKnight
CONGRESS-OF
CONSERVATIVES
Character: RM
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

157 - 218 #

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FBI - DALLAS

(Mount Clipping in Space Below)

Gen. Walker's Suit Dismissed

LOUISVILLE, Ky. (UPI) — U.S. Dist. Court Judge James F. Gordon Thursday dismissed a \$2,000,000 libel suit filed against the Courier-Journal, Louisville Times and WHAS Inc., by former Maj. Gen. Edwin Walker.

Walker claimed that the newspapers and radio and television hinted and broadcast libelous statements about his activities at the University of Mississippi in 1962 during demonstrations protesting the enrollment of James Meredith.

Gordon based his opinion on the U.S. Supreme Court decision in the case of Sullivan vs. New York Times Co. The Supreme Court held that a public official is not libeled unless he can prove actual malice.

(Indicate page, name of newspaper, city and state.)

"The Dallas
Morning News"
Dallas, Texas

Date: 9-24-65
Edition:
Author: EDWIN A. WALKER
Editor:
Title: RM

Jack B. Krueger

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

Dallas

157-218A
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OCT 2 1965
FBI-DALLAS

(Mount Clipping in Space Below)

Walker Owes Tax, IRS Says

WASHINGTON (UPI) — The Internal Revenue Service (IRS) says former Maj. Gen. Edwin A. Walker owes \$3,863 on his 1961 income tax.

Walker quit the Army that year after being relieved of a command post in Germany on grounds that he was indoctrinating his troops with right-wing propaganda. A year later he ran unsuccessfully for Governor of Texas.

The IRS claim came to light in a petition filed by Walker with the U.S. Tax Court here. He denied that he owed the government any money and said, in fact, that he has a refund coming.

The IRS said Walker failed to report \$540 in rents he collected in 1961 on a piece of property, and another \$400 of income from a hunting lease. It said Walker also made "unallowable deductions" of \$12,239 for business costs and \$729 for entertainment expenses.

In his answer, Walker said that under the statute of limitations it is too late for the government to try to collect taxes from him for 1961. He also said he had a refund coming for that year because he failed to deduct another \$1,155 in allowable business expenses.

Walker told The Dallas News Wednesday night the IRS had "held up my accounts for over four years. They have spent more money trying to retrieve what they allege they deserve than what the total amount is worth."

(Indicate page, name of newspaper, city and state.)

"The Dallas
Morning News"
Dallas, Texas

Date: 10-21-65

Edition:

Author:

Editor:

Title:

Jack B. Krueger

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

Dallas

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(Mount Clipping in Space Below)

Importance Of Report Downgraded

Police "long ago" downgraded the importance of reports that men fled in cars from the vicinity of Maj. Gen. Edwin A. Walker's home the night of April 10 after a sniper shot at the former military commander, police sources agreed Saturday.

A newspaper story Saturday recounted a young boy's account last April of seeing three men leaving hurriedly after the shot was fired. That report clouded a possibility that the Walker sniper was Lee Harvey Oswald, pro-Marxist accused of murdering President Kennedy.

A high-powered rifle bullet, fired from the alley, slammed into the wall barely an inch above the ex-general's head as he sat at a desk.

Renewed interest in the case was stirred Thursday by a federal source's disclosure that Oswald's Russian-born widow had told the FBI her husband boasted of trying to kill Walker.

The attempt on Walker's life came two days after he had returned to his home at 4011 Turtle Creek from a cross-country "Cru-

sade Against Communism" tour with evangelist Billy Hargis.

One investigator, on the Walker case from the beginning, said Saturday he doubted the accuracy of reports by persons who related seeing men dash off in cars the night of the sniper attack.

The investigator said the youth's version was discarded, along with others, mainly because all reports failed to agree on the facts, such as color of the cars.

ALSO, A DALLAS man said Saturday the FBI has recently taken pounds of expended shells from his public gun range in an attempt to determine whether Lee Harvey Oswald practiced firing there prior to the presidential assassination.

Floyd Davis, operator of the Sportsdrome Gun Range near Grand Prairie, said three different individuals had informed him they had seen Oswald at the range as recently as five days before the assassination.

Davis said, however, that neither he nor his wife, Virginia, had ever seen the accused slayer.

The Dallas FBI office refused comment.

(Indicate page, name of newspaper, city and state.)

Pg 29, Sec. 1

**"The Dallas Morning
News"
Dallas, Texas**

Date: 12/8/63
Edition: Morning
Author:
Editor: Jack B. Krueger
Title:

Character:

or

Classification: 157-218

Submitting Office: Dallas

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(Mount Clipping in Space Below)

Court Affirms \$500,000 Judgment In Walker Libel Suit Against AP

By ROGER SUMMERS

The second Court of Civil Appeals here today affirmed a 17th District Court ruling that the Associated Press must pay former Maj. Gen. Edwin A. Walker \$500,000 in libel damages.

The ex-soldier was given the judgment for damages as a result of the news service's account of his activities on the University of Mississippi campus Sept. 30, 1962.

Attorneys for the AP are expected to appeal to the Supreme Court of Texas.

The jury, in its verdict June 19, 1964, gave the former general \$500,000 in actual damages and \$300,000 for exemplary or punishment damages.

But on July 31, 1964, 17th District Court Judge Charles A. Murray cut out the \$300,000 exemplary award.

On making the reduction, Judge Murray ruled the AP was not actuated by malice and, therefore, Walker was not entitled to the exemplary damages.

Concerning the actual dam-

ages, the appellate court's three judges wrote in their opinion, "From our investigation and study of the record we are unable to find any legal justification to disturb the award of damages. If any improper influences were present they do not appear from the record. Under the pleadings the appellee (Walker) sought damages including exemplary damages, in the sum of \$2 million."

Concerning exemplary damages, the appeals court said:

"In view of all the surrounding circumstances, the rapid and confused occurrence of events on the occasion in question, and in the light of all the evidence, we hold that appellee (Walker) failed to prove malice as defined, and the trial court was correct in setting aside said findings."

Judge Murray, in his instructions to the jury, said:

"You are instructed that by the term 'malice' is meant ill will, bad or evil motive, or that entire want of care which would raise the belief that the act or omission complained of was the result of a conscious indifference to the right or welfare of the person to be affected by it."

Attorneys for the AP, during a hearing before Judge Murray, once sought a new trial on the basis of alleged jury misconduct.

On this matter the appellate court said, "we find no error in the action of the court in overruling the appellant's (the AP's) amended motion for new trial because of alleged misconduct of the jury."

(Indicate page, name of newspaper, city and state.)

"Ft. Worth
1 Star Telegram"
Ft. Worth, Texas

Date: 7/30/65

Edition:

Author:

Editor: Jack L. Butler

Title:

Character:

or

Classification:

Dallas

Submitting Office:

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JUL 3 1965	

157-218-A2H

(Mount Clipping in Space Below)

Court Reaffirms Walker Judgment For \$500,000

FORT WORTH (AP) — The Second Court of Civil Appeals affirmed today a \$500,000 judgment won by former Maj. Gen. Edwin A. Walker in a libel suit against the Associated Press.

The court rejected Walker's cross appeal for an additional \$300,000 punitive damages on grounds of malice.

Walker won an \$800,000 judgment from a jury in 17th District Court on June 19, 1964, growing out of the AP's account of Walker's activities during the riot that erupted when James Meredith, a Negro, enrolled in the University of Mississippi. Walker was awarded \$500,000 in actual damages and \$300,000 in punitive damages.

District Court Judge Charles A. Murray later set aside the award for punitive damages, saying the AP was not actuated by malice in writing of Walker's activities.

A spokesman for the AP said the decision would be appealed.

(Indicate page, name of newspaper, city and state.)

— "The Dallas
Times-Herald"
— Dallas, Texas

Date: 7-30-65

Edition:

Author:

Editor:

Title: Felix R. McKnight

Edwin A. Walker

Character:

or

Classification: RM

Submitting Office:

Dallas

☐ Being Investigated

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SERIALIZED	FILED
AUG 2 1965	
FBI — DALLAS	

(Mount Clipping in Space Below)

Walker Boosts 'Man of God'

By LAWRENCE MADDRY

Virginian-Pilot Staff Writer

CHESAPEAKE — Former Army Maj. Gen. Edwin A. Walker, on a campaign tour of Southern states for presidential candidate George C. Wallace, told a Labor Day audience here Monday that President Lyndon B. Johnson is "the rear end of a jackass." He had little better to say about any member of the Republican or Democratic parties.

Speaking from the flag-bedecked platform of a truck, the tall Texan from Dallas told about 200 picnickers at a rally in Indian River Park that "Nixon is a warmed over Quaker and Humphrey is a warmed-over Socialist."

Walker, 58, resigned from the Army when he lost command of the 24th Infantry Division in Germany in 1961. There were charges that he pressed John Birch Society and other right wing propaganda on his troops and called U.S. political leaders "definitely pink."

"If there's ever been a time when we needed a man of God in Washington," Walker declared, "it is now."

He said that man was the bantam Alabamian now running for president on the American Party ticket.

"Nobody needs to ask what



Virginian-Pilot Photo by Charles Meads

Walker stumps for Wallace.

(Indicate page, name of newspaper, city and state.)

PAGE 13

THE VIRGINIAN-PILOT

NORFOLK, PORTSMOUTH,

VIRGINIA BEACH,

CHESAPEAKE, VIRGINIA

Date: 9/3/68
 Edition:
 Author:
 Editor:
 Title:

Character:

or

Classification:

Submitting Office:

NORFOLK

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FBI-DALLAS	

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George C. Wallace thinks of the United Nations," Walker continued. "He said when I'm president I'll reverse the policy on South Africa."

Dressed in a conservative blue suit and tie, Walker fanned his face with his notes, and talked about the civil rights and peacenik demonstrators.

"Wallace didn't say I'll drive around them when they lie down," he continued. "Wallace said they'll never lie down in front of another car"

The spectators, some sprawled on quilts and blankets and other sitting in hardbacked chairs, applauded enthusiastically.

The general talked about a "sellout to the Communists" by the Republican and Democratic parties.

He said former President Eisenhower sold the country out in Korea. "Gen. Omar Bradley gave administration policy when he said we were fighting the wrong war at the wrong time and at the wrong place," Walker declared.

He said the late President Kennedy was responsible for paying \$67 million to buy Cuban prisoners back and aborting the invasion of Cuba by patriots.

"What I'm telling you is that retreat and defeat in Vietnam is a victory for the revolutionists in

the United States," he said.

He defined the revolutionaries as President Johnson and "Fulbright, Morse, and McCarthy."

"Lyndon Baines Johnson is the rear end of a jackass," he said. Arkansas Sen. William Fulbright he categorized as the "ratpack leader of the Ratpack party of America."

Walter Reuther was described as "an imposter aiding in the international conspiracy."

Walker concluded by urging the spectators to vote for the candidate of their choice. But he said Wallace was a candidate telling the truth "right from the center."

He said he was proud that Wallace came from a state whose motto is "We dare to defend our rights."

Walker was introduced by the Rev. John R. Carraway, host and director of the "I Am An American" radio program, who later urged members of the audience to pass paper boxes to pay for Walker's visit.

Walker was the guest speaker Monday evening at a political rally sponsored by Roanoke Valley backers of George Wallace for president.

The West Point graduate was supposedly shot at in 1963 by Lee Harvey Oswald, the alleged assassin of President Kennedy.



Virginian-Pilot Photo by Charles Meads

Niece of Uncle Sam waves flag.